

By Mr. DICKINSON of Missouri: A bill (H. R. 11988) granting an increase of pension to Charles H. Bothwell; to the Committee on Invalid Pensions.

By Mr. DYER: A bill (H. R. 11989) granting an increase of pension to Charles A. Morrison; to the Committee on Invalid Pensions.

By Mr. FULLER of Illinois: A bill (H. R. 11990) granting a pension to William Firkins; to the Committee on Invalid Pensions.

By Mr. HASTINGS: A bill (H. R. 11991) granting an increase of pension to Henry McCombs; to the Committee on Pensions.

By Mr. LESHER: A bill (H. R. 11992) granting an increase of pension to Lewis C. Fosnot; to the Committee on Invalid Pensions.

By Mr. ROBSON of Kentucky: A bill (H. R. 11993) granting a pension to Ewel King; to the Committee on Pensions.

Also, a bill (H. R. 11994) granting a pension to Lucinda C. Muncey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11995) granting a pension to John Baker; to the Committee on Pensions.

Also, a bill (H. R. 11996) granting a pension to James M. Vaughn; to the Committee on Pensions.

Also, a bill (H. R. 11997) granting a pension to Hiram Hensley; to the Committee on Pensions.

Also, a bill (H. R. 11998) granting a pension to Gellgo Wells; to the Committee on Pensions.

Also, a bill (H. R. 11999) granting a pension to Elijah Spurlock; to the Committee on Pensions.

Also, a bill (H. R. 12000) granting a pension to Stephen Lytle; to the Committee on Pensions.

Also, a bill (H. R. 12001) granting a pension to Lafayette R. Kincaid; to the Committee on Pensions.

Also, a bill (H. R. 12002) granting a pension to Rosa Taylor; to the Committee on Pensions.

By Mr. SUMNERS of Texas: A bill (H. R. 12003) granting a pension to Harlan R. Hudson; to the Committee on Pensions.

By Mr. THOMPSON: A bill (H. R. 12004) granting an increase of pension to George Gufford; to the Committee on Invalid Pensions.

By Mr. TIMBERLAKE: A bill (H. R. 12005) for the relief of Henry P. Corbin; to the Committee on Claims.

By Mr. WATSON: A bill (H. R. 12006) for the relief of Reuben Clymer; to the Committee on Military Affairs.

By Mr. WEAVER: A bill (H. R. 12007) granting an increase of pension to Thomas J. Bradshaw; to the Committee on Invalid Pensions.

By Mr. CRAGO: A bill (H. R. 12008) granting an increase of pension to Louise Niemann; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1057. By the SPEAKER (by request): Petition of E. H. Thomas, secretary of the Newspaper Writers' Union No. 9, Milwaukee, Wis., protesting against the passage of any so-called antisection bills; to the Committee on the Judiciary.

1058. By Mr. CULLEN: Petition of the Fort Greene Chapter of the Daughters of the American Revolution, opposing all un-American propaganda; to the Committee on the Judiciary.

1059. Also, petition of the Civil Service Forum of New York City, indorsing Senate bill 1699 and House bill 3419; to the Committee on Reform in the Civil Service.

1060. By Mr. DYER: Petition of the Chamber of Commerce of St. Louis, Mo., relative to certain legislation now pending; to the Committee on Appropriations.

1061. Also, petition of the Sergeant Joseph M. Fournier, Jr., Post, No. 3, of the American Legion, relative to discharging soldiers from hospitals; to the Committee on Military Affairs.

1062. By Mr. ESCH: Petition of the Edwin Anderson Post, No. 40, of the American Legion, of Bangor, Wis., relative to certain legislation now pending; to the Committee on Military Affairs.

1063. By Mr. FULLER of Illinois: Petition of citizens of Mendota, Ill., favoring Senate bill 1699 and House bill 3149; to the Committee on Reform in the Civil Service.

1064. By Mr. LINTHICUM: Petition of the Hampden Post, No. 55, of the American Legion, of Baltimore, Md., urging the passage of House bill 5545; to the Committee on Military Affairs.

1065. Also, petition of the Export and Import Board of Trade of Baltimore, Md., relative to the Cummins railroad bill; to the Committee on Interstate and Foreign Commerce.

1066. By Mr. O'CONNELL: Petition of the Civil Service Forum of New York City, indorsing Senate bill 1699 and House bill 3149; to the Committee on Reform in the Civil Service.

1067. By Mr. ROWAN: Petition of the Oil Seeds Co., of New York City, relative to transportation facilities; to the Committee on Interstate and Foreign Commerce.

1068. Also, petition of E. J. Russell, of New York City, opposing Senate bill 3317 and House bill 11430; to the Committee on the Judiciary.

1069. Also, petition of the Civil Service Forum of New York City, indorsing Senate bill 1699 and House bill 3149; to the Committee on Reform in the Civil Service.

1070. Also, petition of Mr. Jansen Woods, of New York City, opposing Senate bill 3317 and House bill 11430; to the Committee on the Judiciary.

1071. Also, petition of the Board of Temperance, Prohibition, and Public Morals of the Methodist Episcopal Church of Washington, indorsing the Sims bill, House bill 262; to the Committee on the Judiciary.

1072. By Mr. VARE: Petition of the Philip J. Meaney Post, No. 249, of the American Legion, asking passage of House bill 10650; to the Committee on Military Affairs.

1073. By Mr. WATSON: Petition of Pennsylvania Branch of the Woman's International League, of Philadelphia, relative to war-time espionage act and Sterling-Graham and other bills; to the Committee on the Judiciary.

1074. Also, petition of sundry citizens of the State of Pennsylvania, urging Congress to stop the canning industries at the mouth of the Yukon River, Alaska; to the Committee on Interstate and Foreign Commerce.

SENATE.

FRIDAY, January 23, 1920.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, Thou art the author of peace and of righteousness. Thou art the God of order. Thy laws are over all Thy works and our highest achievement is to bring our activity of life into harmony with Thy will. In this sacred moment at the beginning of a new day we lift our hearts to Thee asking for guidance and for blessing, that we may have our hearts open to every impression of Thy spirit and be led to-day by the Truth that God reveals to us. We ask it for Christ's sake. Amen.

On request of Mr. CURTIS, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with and the Journal was approved.

LANDS IN KLAMATH COUNTY, OREG.

Mr. CHAMBERLAIN. I present Senate joint memorial No. 6 of the Oregon Legislature, which I ask may be printed in the Record and referred to the appropriate committee.

The memorial was referred to the Committee on Irrigation and Reclamation of Arid Lands and ordered to be printed in the Record, as follows:

[Oregon Legislative Assembly—special session, 1920—senate joint memorial No. 6—introduced by Senator Ritner (by request of American Legion) and read January 14, 1920.]

To the honorable Senate and House of Representatives of the United States of America, in Congress assembled:

That whereas Congressman SINNOTT, of the third congressional district of the State of Oregon, has introduced a bill which is now pending in the Congress of the United States, having for its purpose the restoration to entry of certain lands in Klamath County, Oreg., which provides:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled:

"SECTION 1. That the Secretary of the Interior be, and he hereby is, authorized and directed to determine and make public announcement of what lands in and around Upper Klamath Lake, in Klamath County, Oreg., ceded to the United States by the State of Oregon by an act entitled 'An act to authorize the utilization of Upper Klamath Lake, Lower or Little Klamath Lake, and Tule or Rhett Lake, situate in Klamath County, Oreg., and Goose Lake, situate in Lake County, Oreg., in connection with the irrigation and reclamation operations of the Reclamation Service of the United States, and to cede to the United States all the right, title, interest, and claim of the State of Oregon to any and all lands recovered by the lowering of the water levels or by the drainage of any or all of said lands' (general laws of Oregon, 1905, p. 63) may be uncovered and

opened to agricultural development by drainage, or diking, not impairing the use of the portions of said lake, which do not cover title or marshlands for storage of water or irrigation in connection with the Klamath reclamation project.

"SEC. 2. That title to all said lands can be acquired by homestead entry under the general homestead laws and the provisions of this act, and not otherwise. That the Secretary of the Interior is hereby authorized to permit any drainage district organized under the laws of the State of Oregon, or any person or corporation, to dike or drain said lands at a cost to be fixed by said Secretary, and to have a lien on said lands as security for the payment of the cost of said drainage or diking. That residence and improvement of said lands by entryman shall not be required until his entry shall have been drained.

"SEC. 3. That those who served in the military or naval forces of the United States during the war between the United States and Germany, the Spanish-American War, or the Philippine Insurrection, and have been honorably discharged or separated therefrom or placed in the Regular Army or Naval Reserve shall have preference and prior right to file upon and enter said lands under the homestead laws and the provisions of this act for a period of six months following the time said lands are opened to entry. That in opening said lands for homestead entry the Secretary of the Interior shall provide for the disposition thereof to said soldiers, sailors, and marines in one 160-acre tract to each entryman, by drawing, under general rules and regulations to be promulgated by him: *Provided*, That the rights and benefits conferred by this act shall not extend to any person who having been drafted for service under the provisions of the selective-service act shall have refused to render such service or to wear the uniform of such service of the United States.

"SEC. 4. That said lands shall not be leased, or otherwise disposed of, except under the provisions of this act, and the Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this act into full force and effect."

Now, therefore, be it

Resolved by the Senate of the State of Oregon, the House of Representatives concurring, That the Legislative Assembly of the State of Oregon favors the passage by Congress of said bill and to that end the Representatives and Senators in the Congress of the United States from the State of Oregon are hereby urged to use their influence in behalf of the passage of said bill; and be it further

Resolved, That the chief clerk of the senate of the State of Oregon be directed to transmit by mail a copy of this memorial to the President of the United States Senate and the Speaker of the House of Representatives of the United States, and to each of the Senators and Representatives of the State of Oregon in Congress.

Adopted by the house January 16, 1920.

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate January 15, 1920.

W. I. VINTON,
President of the Senate.

TREATY OF PEACE WITH GERMANY.

Mr. PHIPPS. I send to the desk a copy of a resolution adopted by the board of directors of the Chamber of Commerce of the United States, and also resolutions adopted by the Chamber of Commerce of Pueblo, Colo., which I desire to have printed in the Record.

There being no objection, the resolutions were ordered to be printed in the Record, as follows:

CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA,
Washington, D. C., January 21, 1920.

Hon. LAWRENCE C. PHIPPS,
Senate Office Building, Washington, D. C.

MY DEAR SENATOR: The board of directors of the Chamber of Commerce of the United States on January 20, 1920, unanimously adopted preambles and a resolution expressing its views with respect to the urgency of action upon the treaty of peace with Germany and with respect to the principles which should be followed in taking action.

By request of the board of directors, I am placing these preambles and the resolution before you, through inclosure with this letter, and ask that they have all possible consideration from you.

Very truly, yours,

H. L. FERGUSON, *President.*

"Whereas the progress and the safety of the world demand it; and

"Whereas in order that the vital interests of the United States and its nationals in Europe may be fully protected and the attention of our Government and our people may be concentrated upon our domestic problems, it is essential that the peace treaty be ratified immediately: Now, therefore, be it

"*Resolved*, That the board of directors of the Chamber of Commerce of the United States of America hereby urge the President and the Senate to take prompt action with respect to the treaty of peace with Germany, with such reservations as will fully safeguard every fundamental principle of the Government of the United States."

PUEBLO, COLO., January 5, 1920.

Hon. L. C. PHIPPS,

United States Senator, Washington, D. C.

DEAR SIR: At a public meeting held in Pueblo, Colo., January 2, 1920, the following resolutions were adopted:

"Whereas it is apparent that a strong effort is being made by interests not wholly in accord with Americanism to force a compromise upon the adoption of the so-called League of Nations:

"*Resolved by citizens of Pueblo, Colo., regardless of party, in a public meeting assembled to become better informed upon the League of Nations*, That we are unalterably opposed to any compromise in any way changing or modifying the Senate reservations and that the Knox resolution declaring peace be adopted.

"*Resolved*, That copies of these resolutions be sent to our Senators, chairman of the Senate Foreign Relations Committee, and Representatives of Colorado."

The foregoing resolutions were adopted by a unanimous vote.
JOHN MARKEY, *Chairman.*

Attest:

J. A. DOLAN, *Secretary.*

Mr. CHAMBERLAIN. I present a statement from Reed College, Portland, Oreg., in reference to the vote of the faculty on the peace treaty. It is short, and I ask that it may be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

REED COLLEGE,
Portland, Oreg., December 18, 1919.

We, the undersigned members of the faculty of Reed College, are convinced of the supreme importance of the ratification by the Senate, as soon as possible, of the treaty of peace with such interpretative reservations as may be proper and necessary to protect American interests, but which at the same time recognize the solemn duty of this country as a world power to assume its fair share of responsibility for the preservation of world peace and justice. We urge the Senators from Oregon to promote this action. We believe that a strong majority of the most intelligent and public-spirited citizens of all parties in the State will support them in favoring a resolution ratifying the treaty of peace with the League of Nations covenant in terms that will make it clearly unnecessary to resubmit the treaty to the general peace conference.

A. A. Knowlton, C. H. Gray, Susan Almira Bacon, W. C. Morgan, Hudson B. Hastings, Norman F. Coleman, Frank L. Griffin, Florence H. Read, Minna W. Niemice, Elsa F. Gill, Ruth B. Compton, Harry Beal Torrey, Carroll H. Woody, Dorothy A. Elliott, Helen Clark, Bertha K. Young, Margaret Walton.

CALLING OF THE ROLL.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. Call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Fletcher	Lenroot	Overman
Ball	Frelinghuysen	Lodge	Owen
Borah	Gronna	McCormick	Page
Brandegge	Hale	McKellar	Phelan
Capper	Harris	McLean	Phipps
Chamberlain	Harrison	McNary	Pomerene
Colt	Hitchcock	Moses	Sheppard
Culbertson	Johnson, Calif.	Myers	Sherman
Curtis	Jones, N. Mex.	Nelson	Smith, Ga.
Dial	Jones, Wash.	New	Smith, Md.
Edge	Kellogg	Newberry	Smith, S. C.
Elkins	Kenyon	Norris	Smoot
Fernald	Kirby	Nugent	Spencer

Stanley
Sterling
Sutherland

Townsend
Trammell
Wadsworth

Walsh, Mass.
Walsh, Mont.
Warren

Williams
Wolcott

Mr. GRONNA. I desire to announce the absence of the Senator from Wisconsin [Mr. LA FOLLETTE], due to illness. I ask that this announcement may stand for the day.

Mr. MOSES. I wish to announce the absence of my colleague [Mr. KEYES] on account of illness in his family. I make this announcement for the day.

Mr. McKELLAR. I desire to announce that the Senator from Nevada [Mr. HENDERSON], the Senator from Colorado [Mr. THOMAS], the Senator from Tennessee [Mr. SHIELDS], and the Senator from Utah [Mr. KING] are absent on account of illness.

I wish also to announce that the Senator from Kentucky [Mr. BECKHAM], the Senator from North Carolina [Mr. SIMMONS], and the Senator from Alabama [Mr. UNDERWOOD] are absent on official business.

I have been requested to announce that the Senator from Virginia [Mr. SWANSON] is detained on account of illness in his family.

The VICE PRESIDENT. Sixty-three Senators have answered to the roll call. There is a quorum present.

WITHDRAWALS OF PUBLIC LANDS (H. DOC. NO. 629).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report showing the withdrawals of public lands during the period from December 1, 1918, to November 30, 1919, etc., which, with the accompanying paper, was referred to the Committee on Public Lands and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. SMITH of Georgia. I have received from the board of directors of the Chamber of Commerce of the United States a resolution with the request that I present it to the Senate, which I do. I ask to have it read.

The reading clerk read the resolution.

Mr. PHIPPS. That is a copy of the resolution which I sent to the desk and had printed in the Record.

The VICE PRESIDENT. Very well, it will go in but once.

Mr. PHELAN. I ask to have printed in the Record a memorial of the American Legion of California.

There being no objection, the memorial was ordered to be printed in the Record, as follows:

BAKERSFIELD, CALIF., December 29, 1919.

HON. JAMES D. PHELAN,
United States Senate, Washington, D. C.

DEAR SENATOR: You have been forwarded a copy of the resolutions passed by the California State Department of the American Legion. You will note that resolution No. 34 expresses the opinion of the California department that the Government should pay a bonus to all men who served in the World War of \$30 a month for each month of service. This resolution was very thoroughly debated at the State convention held in San Francisco in October, 1919. Every speaker admitted that in justice the Government should do something of this sort. Those opposing the resolution were simply against a clear-cut statement by the legion on the bonus question and wanted to leave it to the discretion of Congress. The resolution was voted by roll call at the convention and there were 417 votes for the resolution and 102 against it.

At Minneapolis the national convention passed the bonus question back to Congress only after Congressman ROYAL C. JOHNSON, of South Dakota, who was there as a delegate, assured the convention that Congress would consider the statement that the American Legion believed that there should be a provision for adjusted compensation would be sufficient to insure the hearty support of a bonus measure from the Members of Congress.

The advocacy of a bonus or adjusted compensation is somewhat embarrassing to the members of the American Legion, inasmuch as those members will be the recipients of the benefits, but without question 99 per cent of the men who served believe that the Government should pay a bonus and do so without delay. The 1 per cent against the bonus are men in such financial position that they are beyond need. Many of us are not in need of a bonus, but it would be exceedingly selfish to let our own position interfere with the needs of our less fortunate comrades. You realize that many men assumed family obligations before they entered the service, during their term of service, or immediately upon their return, and now find themselves utterly unable to cope with their new obligations.

The reports given by the Morris Plan Banks show that a great number of their loans are made to men who have returned from the service, who have had to mortgage their earning power to meet urgent and immediate obligations. If the Government

fails to vote a bonus, it will be placing a premium on draft evaders and slackers, who received the benefits of high war-time wages and were able to buy automobiles and homes, while men who were serving their country are compelled to go into debt to a degree that will hamper them for at least several years in putting themselves upon their prewar footing.

I was chairman of the resolutions committee at the California State convention and a delegate to the Minneapolis convention and I know that it was thought by every delegate present that Congress would give justice to the men who had served. Those of us from California hope that the California delegation in Congress will stand as a unit back of the California Department of the American Legion in its request that the Government give a cash bonus, based upon the length of service.

You will hear it advanced that the men are not capable of taking care of their money if they are to receive it from the Government. That is a vicious and malicious statement made by men who have little appreciation of the fact that those who served were intelligent and capable, and inasmuch as the Government did not allow them to stipulate just what they would do while in the service it would not be wise to attempt to stipulate to them just what they should do now that they are out of the service with their adjusted compensation.

Canada, with its limited resources, has recognized its men and is endeavoring to give them a foothold in civil life upon their return, and it is to be sincerely hoped that our country, the greatest and wealthiest, will not be among the last to give recognition of the services of the men who answered her call in time of need. It is common knowledge that many thousands of men who served in the World War are in very urgent need of financial assistance, and it is a strain upon their loyalty and good will toward their country to overlook their needs at this time.

Yours, very sincerely,

THOS. W. McMANUS,

Vice President American Legion of California.

Mr. ELKINS presented a petition of sundry citizens of Wheeling, W. Va., praying for the enactment of legislation making appropriations for the construction of Federal highways throughout the country, which was referred to the Committee on Post Offices and Post Roads.

Mr. MOSES presented a petition of sundry citizens of Hanover, N. H., praying for a compromise looking to an early ratification of the treaty of peace with Germany, which was ordered to lie on the table.

Mr. SUTHERLAND presented a petition of the Automobile Club and the Automobile Dealers' Association of Wheeling, W. Va., praying for the enactment of legislation making appropriations for the construction of Federal highways throughout the country, which was referred to the Committee on Post Offices and Post Roads.

REPORTS OF COMMITTEE ON MILITARY AFFAIRS.

Mr. MYERS, from the Committee on Military Affairs, to which was referred the bill (S. 310) for the relief of John Murphy, reported it with an amendment and submitted a report (No. 378) thereon.

Mr. SPENCER, from the Committee on Military Affairs, to which was referred the bill (H. R. 8319) to amend an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1920, and for other purposes," approved July 11, 1919, reported it with amendments and submitted a report (No. 379) thereon.

Mr. WADSWORTH, from the Committee on Military Affairs, to which was referred the bill (S. 3750) to amend an act entitled "An act to provide for the settlement of claims of officers and enlisted men of the Army for the loss of private property destroyed in the military service of the United States," approved March 3, 1885, as amended by the act of July 9, 1918, and for other purposes, reported it without amendment and submitted a report (No. 380) thereon.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KIRBY:

A bill (S. 3779) to authorize the Ozark Forest road-improvement district, of Baxter County, Ark., to construct and maintain a bridge across the White River, near Norfolk, Ark.; to the Committee on Commerce.

By Mr. SHERMAN:

A bill (S. 3780) further to regulate public utilities in the District of Columbia, and for other purposes;

A bill (S. 3781) to create the offices of third assistant probation officer and stenographer and typist for the probation office of the police court of the District of Columbia; and

A bill (S. 3782) to authorize the Commissioners of the District of Columbia to close streets, roads, or highways in the District of Columbia rendered useless or unnecessary by reason of the opening, extension, widening, or straightening of other streets, roads, or highways, and for other purposes; to the Committee on the District of Columbia.

By Mr. WALSH of Montana:

A bill (S. 3783) providing for the allotment of lands within the Fort Belknap Reservation, Mont., and for other purposes; to the Committee on Indian Affairs.

By Mr. KENYON:

A bill (S. 3784) granting an increase of pension to Hamilton K. Williams (with accompanying papers); to the Committee on Pensions.

By Mr. CALDER:

A bill (S. 3785) to amend the Penal Code; to the Committee on the Judiciary.

By Mr. JOHNSON of California:

A bill (S. 3786) granting a pension to August L. S. Becker;

A bill (S. 3787) granting a pension to Edgar B. Stuart;

A bill (S. 3788) granting an increase of pension to Elias B. Lesh;

A bill (S. 3789) granting an increase of pension to Sophrona J. Spencer (alias Owen); and

A bill (S. 3790) granting a pension to Carrie McFadden; to the Committee on Pensions.

By Mr. ELKINS:

A bill (S. 3791) granting an increase of pension to George P. Thompson; to the Committee on Pensions.

By Mr. WADSWORTH:

A bill (S. 3792) to reorganize and increase the efficiency of the United States Army, and for other purposes; to the Committee on Military Affairs.

By Mr. SUTHERLAND:

A bill (S. 3793) granting a pension to Leon H. Coombs; to the Committee on Pensions.

By Mr. JONES of Washington:

A joint resolution (S. J. Res. 148) authorizing the Department of Commerce to participate in the National Marine Exposition to be held in New York in April, 1920; to the Committee on Commerce.

LAND FOR WALTER REED HOSPITAL.

Mr. SPENCER. I introduce a joint resolution and ask that it be referred to the Committee on Military Affairs.

The joint resolution (S. J. Res. 147) to amend the Army appropriation act approved July 11, 1919, was read twice by its title and referred to the Committee on Military Affairs.

Mr. SPENCER. I am authorized by the Committee on Military Affairs to report back favorably without amendment the joint resolution which I have just introduced, and I ask that it may go to the calendar.

The VICE PRESIDENT. The joint resolution will be placed on the calendar.

RIVERTON PROJECT, WYOMING.

Mr. WARREN submitted an amendment proposing to increase the appropriation for continuation of investigations, construction, operation, and maintenance of the Riverton project, Wyoming, from \$50,000 to \$150,000, intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

CONSTRUCTION WORK AT MILITARY POSTS.

Mr. SHEPPARD submitted an amendment intended to be proposed by him to the bill (H. R. 8819) to amend an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1920, and for other purposes," approved July 11, 1919, which was referred to the Committee on Military Affairs and ordered to be printed.

EMPLOYMENT OF ASSISTANT CLERK.

Mr. JONES of Washington submitted the following resolution (S. Res. 288), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Commerce be, and is hereby, authorized to employ an assistant clerk at the rate of \$1,680 per annum, to be paid out of the contingent fund of the Senate during the present session of the Sixty-sixth Congress.

HEIRS OF JOSEPH SHAW.

Mr. KENYON submitted the following resolution (S. Res. 289), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay jointly, out of the contingent fund of the Senate, to Cora Shaw, Mabel Shaw Hedekin, and Edna Shaw Hutson, daughters of Joseph Shaw, late an employee in the folding room of the Senate, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

NEW YORK AND SOUTHERN PORTS.

Mr. DIAL. Mr. President, we are considering what disposition shall be made of the ships. I present an editorial, reprinted in the Charleston News and Courier from one of the New York papers, which I ask may be printed in the RECORD without reading.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[Editorial leader from the News and Courier, Charleston, S. C., of Jan. 20, 1920.]

NEW YORK AND SOUTHERN PORTS.

"In the light of the determined efforts which are being made by New York to prevent by any and all means the diversion of foreign trade from New York through southern ports, it is interesting to note again the congested traffic conditions which exist in New York Harbor. According to the New York Journal of Commerce of last Saturday, 'harbor facilities at the port of New York are so overwhelmed by export trade demands that, in the opinion of underwriters and shippers, commodity deterioration, theft and pilferage, misplacement, and delayed shipments prevail to an extent hitherto unprecedented.'

"The New York Journal of Commerce says that the losses resulting from the conditions which it describes are declared by those acquainted with the facts to be 'appalling.' It states that the congestion is confined to no particular district but prevails generally along all wharf frontages, but goes on to give a vivid picture of the situation in those districts where conditions are particularly bad. Here is the state of affairs which exists in the Chelsea district, along the North River, the Weehawken section, both shores of the East River where are deep-water facilities, and along the 'Atlantic Basin' in Brooklyn:

"In these places goods of all types lie exposed to the elements. Even the makeshift tarpaulin is usually lacking. Cotton bales lie upon the bulkheads with neither covering above nor protection from the soil beneath. Goods in burlap or other types of bagging, packed in thin boards, or, as is often the case, in open crating, are beat upon by wind and rain for indefinite periods.

"Not only are piers and bulkheads generally piled high with vast quantities of unprotected goods, but the same thing is true with respect to lighters. Far beyond the pierheads to which they are attached they swing in long strings. The inspection and surveying officials of one large insurance company asserted that fleets of lighters were literally chained together, fastened to a single pierhead, and left to drift, in one case the radius of the drift being approximately 1,000 feet. It was said that this is in direct violation of the city ordinances, but even more to be deplored was the fact that many of these lighters are loaded either with perishable commodities or with goods which materially deteriorate upon long continued exposure to wind and rain.

"Inadequate protection from the weather is supplemented by inadequate safeguards against thievery. Along certain shore fronts, notably the Chelsea frontage, the thieving elements seem to be in a high state of organization and are no longer content with petty pilferage, but steal by the case or by entire consignments. Entire cargoes of lighters have not proved to be beyond their undertaking, according to statements from sources known to be wholly reliable. It was asserted that the vast quantities of unboxed goods on lighter decks, piers, and barns made protection by ordinary police methods entirely unsuccessful.

"It is said that practically all of the congested goods to be found along the New York water front are for export trade, and as an illustration of how difficult it is to get traffic moved promptly through New York one inspector is quoted as saying that '119 automobiles, according to his count, remained in one spot for four and a half months.' The Journal of Commerce says that 'chaos exists generally in and around the wharves.' Yet in the face of these conditions, New York is determined that the southern ports shall not be utilized if it can put a stop to the movement to bring this about. Her agents, acting for her, are bringing all the pressure they can from many directions to destroy the hopes which exist in the South for the building up of a foreign trade through the South Atlantic ports and for the development of these ports.

"One week from to-day, on next Tuesday, January 27, there will be a hearing before the Senate Committee on Commerce at Washington which is of great importance to Charleston and the other South Atlantic ports. It has been arranged by the Midwest-Gulf-South Atlantic committee, representing these three sections of the country for the promotion of foreign trade through southern ports, and the Senate Committee on Commerce has promised to give a full day to this hearing. In connection with this hearing Mr. Matthew Hale has arranged for a conference at the New Willard to meet Senators and Congressmen of the Mississippi Valley and South Atlantic States at which the need of continuing export rates will be discussed. A vigorous effort is on foot emanating from New York to annul these rates, and unless concerted action can be got from those who have the welfare of this section and of this movement on their hearts there is danger that the attack from New York will succeed.

"Nothing can be more evident than that New York now has a larger volume of foreign traffic than she is able to accommodate. The statements quoted above from the New York Journal of Commerce prove that. It must be borne in mind that the

condition which the Journal of Commerce describes is one which has lasted now over a period of several years, and which during that time has grown steadily worse instead of better. Patriotic citizens all over the country were aroused two years ago to the necessity of opening the southern ports to this foreign trade in order to relieve the dangerous congestion which exists at New York. It is the selfishness of New York which would defeat the movement which, under the able leadership of Mr. Hale, has been making rapid progress in that direction. Charleston and South Carolina in this crisis should give Mr. Hale the support which he requires. This city's business men should send to Washington the strongest possible delegation to represent its interests and the interests of the southern ports at the hearing which is to be held before the Senate Committee on Commerce next Tuesday."

SEDITIONOUS ACTS AND UTTERANCES.

Mr. OWEN. Mr. President, I present an analysis of the Nelson or Davey bill and the Sterling bill, which I ask to have printed in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

ANALYSIS OF THE NELSON OR DAVEY BILL AND STERLING BILL.

DAVEY BILL IS IDENTICAL WITH THE NELSON BILL—THE NELSON OR DAVEY BILL IS THE BILL RECOMMENDED AND TRANSMITTED TO CONGRESS IN HIS REPORT OF NOVEMBER 14, 1919.

"The Nelson bill purports to prohibit the doing or threatening of any 'act of force' (not defined) against any person or property or any act of 'terrorism, hate, revenge, or injury' (not defined) against the person or property of a Government employee with subversive intent. That is sedition. It also provides for the punishment of 'promoting sedition'—defined to cover the advocacy or justification of sedition as thereinbefore defined or connection with an organization concerned with such advocacy or justification.

"The Sterling bill prohibits advocacy of the overthrow or change of government by force, violence, or physical injury to person or property.

"The Sterling bill seems moderate in comparison with the Nelson bill. Its moderation, however, is a moderation of language and not of substance. It has the same vice of not saying what it really means. It is the more deceptive for less clearly suggesting the excesses to which it will lend itself.

"Both bills are disingenuous. What the authors are after is not the finding of a person who actually preaches violent acts (Sterling bill) or expresses subversive intent (Nelson bill). That person is altogether too hard to find. What the authors are really after is a chance to put up to magistrates, postmasters, and juries the question whether extremist doctrines do not in themselves imply advocacy of force and violence, or subversive intent, and so make their holder jailable. The answer to the question depends on one fact only, a fact outside the record, namely, the liberal or conservative tendency of the person who has to answer it. And the legal percentage of liberals in court rooms seems to be kept down to about the percentage of benzoate of soda under the pure-food law. A jury of a man's peers in a free-speech case means a jury of 100 per cent Americans and who are also 100 per cent conservative and 100 per cent ignorant of the most elementary theories of socialism, industrial unionism, the labor movement, and, if possible, social betterment in general. The very ideals of socialism and communism in their most pacifist forms shock an average jury to such an extent that they mistake the shock itself for force and violence. When you give district attorneys the chance of going to trial on an issue of advocating force and violence or 'intent to change the Government,' they are very nearly as well off as if the crime were defined as mere disagreement with existing conditions.

The Nelson bill, S. 3448.

INTENT.

Section 1. Whoever with the intent to levy war against the United States—

"What is evidence of 'intent to levy war'? An undertaking to organize and drill a band of rebels in a mountain fastness would be clear. That is not the case, however, which will arise. In the practical application of the statute excited prosecutors will persuade excited jurymen to infer 'intent to levy war' from the mere fact of advocacy of extreme doctrines.

or to cause the change, overthrow, or destruction of the Government—

"The preposterousness of the word 'change' in this connection is obvious. Advocacy of the substitution of a commission form of government for government by President, Congress, and Supreme Court—or even of so unfundamental as a change to executive from legislative budget making—would evince a sufficiently criminal intent.

"It does not follow that the omission of the word 'change' would make the provision reasonable. 'Intent to cause the overthrow or destruction of the Government,' of course, does

not mean intent to cause violent or unlawful overthrow or destruction. Expression of a preference for constitutional monarchy, for example, at a time when men's passions were heated with respect to the merits of such a form of government, would, as a practical matter, be sufficient.

or of any of the laws—

"The Anti-Saloon League has undoubtedly had lately, and the brewers and liquor interests have undoubtedly at present, the kind of an intent which it is here proposed to make a criminal intent.

or authority thereof—

"Some time ago Macy's department store, in New York City, posted an invitation to sign a petition for the repeal of luxury taxes containing in glaring black capitals this statement: 'Luxury taxes discourage industry and make for unemployment.' It is obvious that such a placard tends to dampen the zeal and ardor of merchants and customers for paying luxury taxes; it would follow, as a natural and probable consequence, that some person thus made apathetic or hostile would now and then evade his luxury tax. Since everyone is presumed to intend the natural and probable consequences of his acts, it follows that R. H. Macy & Co., in exhibiting such a placard, intended to change, overthrow, or destroy the authority of the luxury-tax law.

or to cause the overthrow or destruction of all forms of law or organized government—

"This, like the 'intent to levy war' clause, is a bid for the approval of people who hate anarchy and do not realize the ingenuity of prosecutors in persuading juries to make far-fetched inferences from remote evidence.

or to oppose, prevent, hinder, or delay the execution of any law of the United States—

"During the war Congress appropriated money for the purchase of munitions. Conditions in some of the industries where these munitions were produced were intolerable; the life and safety of employees were needlessly exposed; the hours were long; the wages were low; there was not recognition of the fact that the employees were sentient human beings. It was proposed to organize strikes. This was held evidence of intent to oppose, prevent, hinder, and delay the execution of the laws appropriating money for the purchase of munitions at the plants in question.

or the free performance by the United States Government or any one of its officers, agents, or employees of its or his public duty—

"It is the duty of the United States Government and many of its agents to procure materials. The performance of these duties would be obstructed by strikes in the industries producing these supplies, however proper and legitimate the occasion might be for a strike. And, again, on the familiar theory that persons are presumed to intend the natural and probable consequences of their acts, the organization of such a strike would be presumptive evidence of intent to interfere with the performance by the Government and its officers of their public duty.

FORBIDDEN ACTS.

commits or attempts or threatens to commit any act of force against any person or any property—

"In the case already referred to the proposal to organize strikes against intolerable conditions was held to evince not only intent to oppose, prevent, hinder, and delay the execution of laws, but to include the further element of force—i. e., the inference was of intent 'by force to prevent, hinder, and delay' the execution of various laws, in violation of section 6 of the Criminal Code. Thus a strike—any strike—may be an act of force against both persons and property.

or any act of terrorism,—

"The possibilities attending the introduction of a word like this, with no precise definition, into such a statute are too obvious to call for comment.

hate,—

"The gesture of thumbing the nose may be punished by 20 years in prison and a \$10,000 fine if done with intent to change the law by a sufficiently unpopular person at a time of sufficient hysteria.

revenge, or injury against the person or property of any officer, agent, or employee of the United States—

"The Kaiser possibly had as adequate a protection against lese majeste as this would confer upon the President of the United States. But the Kaiser's prime minister most assuredly had no such personal sanctity as that with which it is contemplated to invest the janitor of the Post Office Building.

shall be deemed guilty of sedition.

Sec. 2. Whoever makes, displays, writes, prints, or circulates, or knowingly aids or abets the making, displaying, writing, printing, or circulation of any sign, word, speech, picture, design, argument, or

teaching which advises, advocates, teaches, or justifies any act of sedition as hereinbefore defined, or any act which tends to excite sedition as hereinbefore defined—

"There can obviously be no check upon the kind of prosecution to be instituted under this language except the moderation and discretion which the Attorney General will doubtless promise to employ. We shall have courts gravely litigating the significance of salmon-colored petticoats or the wearing of Red Cross buttons in the right lapel instead of in the left.

"With the first set of fine verbs there is no qualification as to knowledge, willfulness, or intent. Supposing that it has been held that the following words criminally justify an act of sedition: 'R. H. Macy & Co. ought not to be punished for declaring that luxury taxes make for unemployment.' Suppose the New York World prints this news item: 'John Smith has been convicted for saying that R. H. Macy & Co. should not be punished for declaring that luxury taxes make for unemployment.' Then the New York World is itself guilty of 'promoting sedition.'

"The second set of verbs is qualified by 'knowingly.' Any one who 'knowingly' displays or prints, whatever his intent, is guilty. The World may publish the fact that John Smith is indicted for sedition, but not what his alleged sedition consisted of.

or organizes or assists, or joins in the organization of, or becomes or remains a member of, or affiliated with, any organization or society, whether the same be formally organized or not, which has for its object, in whole or in part, the advising, advocating, teaching, or justifying of any act of sedition as hereinbefore defined, or the inciting of sedition as hereinbefore defined—

"What is affiliation with an organization? What constitutes 'assisting' an organization? What is an organization? What is an organization which is not formally organized?

"It has been held that acts and expressions of members of an organization are evidence of its objects. A member or assister or affiliator can not rely upon an innocent charter or organization agreement. He becomes in effect an insurer of the private conduct of all the members.

shall be deemed guilty of promoting sedition.

"The Sterling bill, S. 337.

"Section 1. That it shall be unlawful for any person to advocate or advise the overthrow, or to write, or knowingly to print, publish, utter, sell, or distribute any document, book, circular, paper, journal, or other written or printed communication, in or by which there is advised the overthrow, by force or violence, or by physical injury to person or property of the Government of the United States or of all government, or to advise or advocate a change in the form of government or the Constitution of the United States or resistance to the authority thereof by force or violence or by physical injury to person or property, or by force or violence to prevent, hinder, or delay or attempt to prevent, hinder, or delay the execution of any law of the United States.

"A reader of this section unfamiliar with the ingenuity of prosecutors might infer that it is intended to punish only advocacy of the use of force or violence or physical injury to person or property for the accomplishment of certain ends. The accompanying analysis of the Nelson bill has presented illustrations of the kind of far-fetched inferences which ingenious prosecutors, in collusion with hysteria, can persuade juries to make.

"It is intolerable that the determination of the political ends and aims in men's minds should be left to the judgment of their passionate adversaries.

"Sec. 2. That the display or exhibition at any meeting, gathering, or parade, public or private, of any flag, banner, or emblem intended by the person or persons displaying or exhibiting the same to symbolize or indicate a purpose to overthrow by force or violence or by physical injury to person or property, the Government of the United States or all government, is hereby declared to be unlawful.

"The prohibition of emblems symbolizing or indicating sinister purposes is more harmful than their display. Who is going to determine what is an emblem or what an emblem symbolizes? Who is hurt by its display? Does it entail such a danger that it is worth while to punish 10 persons mistakenly for displaying something which is not in fact an emblem, or which does not in fact symbolize any sinister purpose, in order to prevent one futile ill-intentioned display?

"Sections 3 and 4.

"These sections make written matter which violates the preceding sections unmailable and nontransportable. The futility of expecting a Postmaster General or other public official to be less bigoted and less unintelligent in the interpretation of the meaning of controversial doctrines than 12 ordinary jurymen needs no demonstration."

SHIPPING BOARD CLAIMS.

The VICE PRESIDENT. The morning business is closed.

Mr. FERNALD. I ask unanimous consent again this morning to take from the calendar Senate bill 3451.

The VICE PRESIDENT. Is there objection?

Mr. HITCHCOCK. Let me inquire what the bill is?

Mr. FERNALD. It is the bill I called up yesterday morning for the relief of wooden-ship builders.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3451) authorizing the United States Shipping Board to adjust the claims of wooden-ship builders arising out of the prosecution of the war.

Mr. FERNALD. Mr. President, I had hoped that the brief statement of facts which I made yesterday might be sufficient to warrant the passage of the bill, but some statements were made in the Senate at that time which I can not permit to go unchallenged.

It was stated on the floor of the Senate that the bill had been very carelessly and loosely drawn. To that statement I object. First of all, it was drawn by a Senator who is considered to be one of the best lawyers in the Senate. It was carefully considered for several days by the Committee on Commerce, on which we have as a member the chairman of the Committee on the Judiciary and 12 other eminent lawyers of the Senate of the United States. Further than that I have taken the trouble myself to consult one of the best constitutional attorneys in the country, so considered by Senators on both this and the other side of the Chamber. In view of these facts it would seem to me to be entirely unfair and unjust that such statements should go to the people of the country.

Mr. LENROOT. Will the Senator yield?

Mr. FERNALD. I yield.

Mr. LENROOT. The Senator does not mean that the distinguished chairman of the Committee on the Judiciary was present when the amendments were considered or that he agreed to them?

Mr. FERNALD. I think that Senator was present at the last meeting of the committee.

Mr. NELSON. No; I was not present when the bill was considered by the committee. It was difficult to get a quorum, and the clerk of the committee asked me if I might be counted to make a quorum; but I was unable to be present on account of my duties in connection with another committee. I had no opportunity to vote on the amendments, and they do not meet with my concurrence.

Mr. FERNALD. Mr. President, I desire to make the statement that in the final disposition of the bill by the committee a quorum was present and every member present voted that the bill should be reported as I have reported it, with the amendments.

Having brushed aside that statement, because I believe it ought to be cleared, I wish to say that we seem to forget that scarcely two years ago the country was at war and we were giving to the President of the United States, and very properly so, all the authority that seemed necessary for the carrying on of the Great War. He immediately inaugurated new departments, instituted new bureaus for conducting the war, and among others were the United States Shipping Board and the Emergency Fleet Corporation. The members of those corporations begged people all over the country to come to Washington to confer on matters which were to be brought before those corporations or departments.

We were appropriating money by the millions and hundreds of millions in those days to carry on the war. We were raising an army of 4,000,000 men. We were getting active in every line of business in the country. The munitions factories, the steel factories—in fact, every manufactory in the United States—was set to work and thousands of contracts were made, entirely invalid, but for the purpose of immediate and speedy action.

With all the preparations that were made for the munitions of war and the manufacture of everything that could help to win the war, we had an army of 2,000,000 soldiers who were being trained on this side of the water, and one of the great essentials in carrying on the war was to get them to the other side. The United States Shipping Board, knowing that emergency and having been told by the President of the United States that it was a most important factor in the carrying on of the war, brought men from almost every State, in fact from every State on the Gulf and the Atlantic and Pacific coasts, to engage in the building of ships. They were told that the Government needed ships, more ships, and more ships, and they were invited and begged and implored to build ships, and every man who knew anything about the building of ships was sent into action; and before any contracts were made they were told that this department was a business organization; that there was to be no red tape about this; that business was to be done in a businesslike way over the table as among business men, and before contracts were even made with these men they were implored to go back home and get busy. I am telling no

fiction, Mr. President; but, taken from the files of the United States Shipping Board, letters will be found to men in all parts of the Pacific and Atlantic coasts imploring them to get busy in the building of ships; and, acting on that suggestion, men did start in the building of ships.

They built ways; they got their organizations together; they went to every man who had any property in their immediate vicinity; they went to the banks and organized financially to carry on the building of these ships. The work was begun, and after it was nicely and finally started it was decided that the contract which had been contemplated by the United States Shipping Board was not workable. They had first endeavored to have steel ships, and then it was found that the steel mills in the country were engaged for at least two years ahead, and it was impossible to build steel ships for at least two years. On the other side of the water ships were being sunk by submarines at the rate of 10 to 40 a day, and it was the plea from the other side of the ocean that we people on this side must build ships to get our soldiers and sailors across the water; and, whatever may be said about the conduct of this war, no man has a right to criticize the activity of the Navy in getting our boys safely on the other side of the water. We built ships. It was impossible to build steel ships, and every little wood-ship builder in this country got busy in the building of ships.

Mr. HITCHCOCK. Mr. President—

Mr. FERNALD. I yield.

Mr. HITCHCOCK. I have not been able as yet to find any written report on this bill.

Mr. FERNALD. I made a report yesterday.

Mr. HITCHCOCK. Does not the Senator think it would be wise to defer the consideration of the bill until Senators can have an opportunity to examine the report?

Mr. FERNALD. This bill has been reported several days; and it does seem to me that men who have a just and honest claim against this Government, and have been deprived of their funds for 14 months, while others who have been manufacturing all kinds of munitions have had their contracts validated by the Congress of the United States, ought now to have immediate action, and this bill ought to have immediate passage.

Mr. HITCHCOCK. I should like to ask the Senator whether the report has been printed?

Mr. FERNALD. I think it has been.

Mr. SMOOT. Mr. President, I want to call the Senator's attention to the fact that on the bill itself, calendar No. 334, as printed, there is no notation that there has been a report made upon the bill; and, therefore, if it has been printed, there is a mistake in printing the bill itself, as now on the calendar.

Mr. LENROOT. Mr. President, my bill bears a notation that it was reported by the Senator from Maine [Mr. FERNALD] on the 21st instant.

Mr. SMOOT. Oh, that is a different thing; but the report should be noted upon the bill as reported to the Senate.

Mr. LENROOT. Did the Senator make a report?

Mr. FERNALD. I made a report yesterday.

Mr. HITCHCOCK. Mr. President—

Mr. FERNALD. I yield.

Mr. HITCHCOCK. Of course, the report is of no use to the Senate, and throws no light on the subject, unless it is printed and supplied to Senators. I should like to ask the Senator some questions.

Mr. FERNALD. I shall be glad to answer them.

Mr. HITCHCOCK. How many claims are involved in this matter of wooden ships?

Mr. FERNALD. The president of the Shipping Board is unable to determine the exact number of claims. There have been already about 70 adjusted and paid. In the Congress last year there was an appropriation of \$55,000,000 to pay these claims.

To go back a little, if the Senator will permit me, in the cancellation of these matters the Government saved about \$125,000,000.

Mr. HITCHCOCK. I understand that claim, but I am trying to secure some information.

Mr. FERNALD. I am trying to answer the question. The appropriation of \$55,000,000 was estimated. The shipbuilders of the country were invited to Washington and asked to make a report as to about the amount that was necessary to pay their claims. They estimated a total of \$55,000,000 for the payment of the entire bill of all the shipbuilders.

Mr. HITCHCOCK. Were these claims presented?

Mr. FERNALD. An estimate of them was made. They were not all presented, but each man simply made his estimate. Then they commenced the settlement of these claims, and it was found that on the basis of the returns from the shipbuilders the settlements by the Shipping Board amounted to less than 25 per

cent of the claims of the shipbuilders. In the case of the 70 claims that were settled, it cost only one-fourth as much as it was estimated by the shipbuilders; so that without doubt the amount of \$55,000,000, which was appropriated, was at least three times as much as was necessary. Now, it is not possible to tell the exact number, because these men were scattered all over the country, and they were building anywhere from one small ship to very many large ships; but the amount of \$15,000,000, estimated to be required to pay the claims, is doubtless more than will be required.

Mr. LENROOT. Mr. President, will the Senator yield at that point?

Mr. FERNALD. Yes.

Mr. LENROOT. This estimate of \$15,000,000 did not contemplate the incorporation of the amendments that the committee has incorporated, which will vastly increase the expenditures.

Mr. EDGE. Mr. President, may I ask the Senator a question?

Mr. FERNALD. I yield.

Mr. EDGE. I thoroughly agree with the Senator's contention that these claims, where they are just, should be settled; but does the Senator agree that this suggested amendment gives any discretion to the Shipping Board in making such adjustments, at the bottom at page 3:

That in adjusting such claims the said board shall include and pay an amount equal to the difference between the actual cost of the yards, plants, facilities, machinery, and equipment provided for use in connection with the construction of ships or barges under contracts with the United States Shipping Board or the United States Shipping Board Emergency Fleet Corporation and the salvage value of said yards, plants, facilities, machinery, and equipment at the time of adjustment less such amount as the contracts specify shall be allowed for depreciation for each delivered ship hull and for each delivered barge.

Does not that make the settlements almost a matter of arbitrary decision?

Mr. CHAMBERLAIN. Mr. President—

Mr. FERNALD. I yield to the Senator from Oregon.

Mr. CHAMBERLAIN. May I interrupt the Senator just a moment to remind him of this fact: This bill follows along the lines of the precedents which have been established already, not only by the Senate but by Congress. It is conceded, and the evidence shows, that millions of dollars of war contracts were made without any authority of law, and made in many cases by officers of the Army and by the Secretary of War over the telephone, sometimes by letter, sometimes by persons who really had no specific authority to contract upon the part of the Government; and yet the Congress passed a bill in the Sixty-fifth Congress, Public, No. 322, which authorized the Secretary of War to adjust, pay, or discharge any agreement, express or implied, upon a fair and equitable basis that had been entered into in good faith, and so forth. I am going to ask that that law be printed in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

[Public, No. 322, Sixty-fifth Congress, H. R. 13274.]

An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes.

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to adjust, pay, or discharge any agreement, express or implied, upon a fair and equitable basis that has been entered into, in good faith during the present emergency and prior to November 12, 1918, by any officer or agent acting under his authority, direction, or instruction, or that of the President, with any person, firm, or corporation for the acquisition of lands, or the use thereof, or for damages resulting from notice by the Government of its intention to acquire or use said lands, or for the production, manufacture, sale, acquisition or control of equipment, materials or supplies, or for services, or for facilities, or other purposes connected with the prosecution of the war, when such agreement has been performed in whole or in part, or expenditures have been made or obligations incurred upon the faith of the same by any such person, firm, or corporation prior to November 12, 1918, and such agreement has not been executed in the manner prescribed by law: *Provided*, That in no case shall any award either by the Secretary of War or the Court of Claims include prospective or possible profits on any part of the contract beyond the goods and supplies delivered to and accepted by the United States and a reasonable remuneration for expenditures and obligations or liabilities necessarily incurred in performing or preparing to perform said contract or order: *Provided further*, That this act shall not authorize payment to be made of any claim not presented before June 30, 1919: *And provided further*, That the Secretary of War shall report to Congress at the beginning of its next session following June 30, 1919, a detailed statement showing the nature, terms, and conditions of every such agreement and the payment or adjustment thereof: *And provided further*, That no settlement of any claim arising under any such agreement shall bar the United States Government through any of its duly authorized agencies, or any committee of Congress hereafter duly appointed, from the right of review of such settlement, nor the right of recovery of any money paid by the Government to any party under any settlement entered into, or payment made under the provisions of this act, if the Government has been defrauded, and the right of recovery in all such cases shall exist against the executors, administrators, heirs, successors, and assigns, of any party or parties: *And provided further*, That nothing in this act shall be construed to relieve any officer or agent of the United States from criminal prosecution under the provisions of any statute of the

United States for any fraud or criminal conduct: *And provided further*, That this act shall in no way relieve or excuse any officer or his agent from such criminal prosecution because of any irregularity or illegality in the manner of the execution of such agreement: *And provided further*, That in all proceedings hereunder witnesses may be compelled to attend, appear, and testify, and produce books, papers and letters, or other documents; and the claim that any such testimony or evidence may tend to criminate the person giving the same shall not excuse such witness from testifying, but such evidence or testimony shall not be used against such person in the trial of any criminal proceeding.

SEC. 2. That the Court of Claims is hereby given jurisdiction on petition of any individual, firm, company, or corporation referred to in section 1 hereof to find and award fair and just compensation in the cases specified in said section in the event that such individual, firm, company, or corporation shall not be willing to accept the adjustment, payment, or compensation offered by the Secretary of War as hereinbefore provided, or in the event that the Secretary of War shall fail or refuse to offer a satisfactory adjustment, payment, or compensation as provided for in said section.

SEC. 3. That the Secretary of War, through such agency as he may designate or establish, is empowered, upon such terms as he or it may determine to be in the interest of the United States, to make equitable and fair adjustments and agreements, upon the termination or in settlement or readjustment of agreements or arrangements entered into with any foreign government or governments or nationals thereof, prior to November 12, 1918, for the furnishing to the American Expeditionary Forces or otherwise for war purposes of supplies, materials, facilities, services, or the use of property, or for the furnishing of any thereof by the United States to any foreign government or governments, whether or not such agreements or arrangements have been entered into in accordance with applicable statutory provisions; and the other provisions of this act shall not be applicable to such adjustments.

SEC. 4. That whenever, under the provisions of this act, the Secretary of War shall make an award to any prime contractor with respect to any portion of his contract which he shall have sublet to any other person, firm, or corporation who has in good faith made expenditures, incurred obligations, rendered service, or furnished material, equipment, or supplies to such prime contractor, with the knowledge and approval of any agent of the Secretary of War duly authorized thereunto, before payment of said award the Secretary of War shall require such prime contractor to present satisfactory evidence of having paid said subcontractor or of the consent of said subcontractor to look for his compensation to said prime contractor only; and in the case of the failure of said prime contractor to present such evidence or such consent, the Secretary of War shall pay directly to said subcontractor the amount found to be due under said award; and in case of the insolvency of any prime contractor the subcontractor of said prime contractor shall have a lien upon the funds arising from said award prior and superior to the lien of any general creditor of said prime contractor.

SEC. 5. That the Secretary of the Interior be, and he hereby is, authorized to adjust, liquidate, and pay such net losses as have been suffered by any person, firm, or corporation by reason of producing or preparing to produce either manganese, chrome, pyrites, or tungsten in compliance with the request or demand of the Department of the Interior, the War Industries Board, the War Trade Board, the Shipping Board, or the Emergency Fleet Corporation to supply the urgent needs of the Nation in the prosecution of the war, said minerals being enumerated in the act of Congress approved October 5, 1918, entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of those ores, metals, and minerals which have formerly been largely imported, or of which there is or may be an inadequate supply."

The said Secretary shall make such adjustments and payments in each case as he shall determine to be just and equitable; that the decision of said Secretary shall be conclusive and final, subject to the limitation hereinafter provided; that all payments and expenses incurred by said Secretary, including personal services, traveling and subsistence expenses, supplies, postage, printing, and all other expenses incident to the proper prosecution of this work, both in the District of Columbia and elsewhere, as the Secretary of the Interior may deem essential and proper, shall be paid from the funds appropriated by the said act of October 5, 1918, and that said funds and appropriations shall continue to be available for said purpose until such time as the said Secretary shall have fully exercised the authority herein granted and performed and completed the duties hereby provided and imposed: *Provided, however*, That the payments and disbursements made under the provisions of this section for and in connection with the payments and settlements of the claims herein described, and the said expenses of administration shall in no event exceed the sum of \$8,500,000: *And provided further*, That said Secretary shall consider, approve, and dispose of only such claims as shall be made hereunder and filed with the Department of the Interior within three months from and after the approval of this act: *And provided further*, That no claim shall be allowed or paid by said Secretary unless it shall appear to the satisfaction of the said Secretary that the expenditures so made or obligations so incurred by the claimant were made in good faith for or upon property which contained either manganese, chrome, pyrites, or tungsten in sufficient quantities to be of commercial importance: *And provided further*, That no claims shall be paid unless it shall appear to the satisfaction of said Secretary that moneys were invested or obligations were incurred subsequent to April 6, 1917, and prior to November 12, 1918, in a legitimate attempt to produce either manganese, chrome, pyrites, or tungsten for the needs of the Nation for the prosecution of the war, and that no profits of any kind shall be included in the allowance of any of said claims, and that no investment for merely speculative purposes shall be recognized in any manner by said Secretary: *And provided further*, That the settlement of any claim arising under the provisions of this section shall not bar the United States Government, through any of its duly authorized agencies, or any committee of Congress hereafter duly appointed, from the right of review of such settlement, nor the right to recover any money paid by the Government to any party under and by virtue of the provisions of this section, if the Government has been defrauded, and the right of recovery in all such cases shall extend to the executors, administrators, heirs, and assigns of any party.

That a report of all operations under this section, including receipts and disbursements, shall be made to Congress on or before the first Monday in December of each year.

That nothing in this section shall be construed to confer jurisdiction upon any court to entertain a suit against the United States: *Provided further*, That in determining the net losses of any claimant the Secretary of the Interior shall, among other things, take into consideration and charge to the claimant the then market value of

any ores or minerals on hand belonging to the claimant, and also the salvage or usable value of any machinery or other appliances which may be claimed was purchased to equip said mine for the purpose of complying with the request or demand of the agencies of the Government above mentioned in the manner aforesaid.

Approved February 2, 1919.

Mr. CHAMBERLAIN. Not only that, Mr. President, but the terms of the pending bill are not dissimilar from the terms of the bill which was passed at that time. They went still further than that, and in the bill to which I have called attention they authorized the payment upon a just and equitable basis of claims, express or implied, that were incurred in producing chrome and other minerals that were necessary for the prosecution of the war. So we are not going blindly into this legislation. We are doing the fair thing, and exactly the same thing that was done in reference to war and other contracts that were made really informally and without any express authority of law. If it was right then, it is right now that these people should be paid in exactly the same way.

Mr. EDGE. Mr. President, may I follow up the question by asking the Senator from Oregon if the same language appears in the act to which he is now referring? This is certainly arbitrary. This amendment gives no discretion, as I read it.

Mr. CHAMBERLAIN. I have not compared the language of the two bills, but the purpose of the bills is practically the same.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. FERNALD. Yes.

Mr. LENROOT. I certainly would agree with the bill as originally drawn; there is no possible objection to that; but these amendments go far beyond the validation-of-contracts bill that was passed by Congress.

Mr. CHAMBERLAIN. Of course, I assume that some amendments will be made to the bill. So far as I am personally concerned, I do not want to open the doors of the Treasury wide to every claim that might come in; but I do feel that these men, who acted in perfect good faith and were complying with the requests of the department, ought to be paid the amount due them.

Mr. LENROOT. There is no controversy about that; but I should like to ask the Senator whether he understands that under the amendment proposed by the committee a man might have entirely completed his contract with the Government and then put in a claim for the salvage of the yard, without any assurance from any representative of the Government that he would ever get another contract, and yet under this amendment every shipyard in this country would have to be paid for out of the Treasury? Does the Senator agree that any such legislation as that is wise?

Mr. CHAMBERLAIN. I do not think the bill goes to the extent that the Senator claims, but he may be right in his construction of it. I shall be glad if he will call attention to the particular provision to which he refers.

Mr. FLETCHER. Mr. President, will the Senator yield?

Mr. FERNALD. I yield to the Senator from Florida; yes.

Mr. FLETCHER. I want to say that I do not think the purpose of the amendment was to open the door to any such settlement as the Senator from Wisconsin [Mr. LENROOT] apprehends; and, furthermore, I am satisfied that the parties interested here do not ask, under this bill, any different plan or basis of settlement than that which was pursued originally by the Shipping Board in making the settlements of some 70 cases which they have already made. Some five or six million dollars were paid out in the adjustment of those claims, and the people now interested are perfectly willing to have those settlements continue upon the basis which had been agreed upon by the board, and which was actually put into practice originally. They are not asking any different plan of settlement than that. They have proposed certain amendments, however, because after hearings it was suggested that a very strict construction might be placed upon this language which would eliminate the principle of fairness and equity in the settlement of these claims and hold them down to a strict, technical construction of precise language—for instance, whether a given person was an authorized representative of the Shipping Board or Emergency Fleet Corporation.

The chairman of the board would hold, under that construction, that it meant the president or the vice president or the general manager, duly authorized to make contracts. When this work was going on, however, the Shipping Board and Emergency Fleet Corporation sent out representatives all over the country to negotiate contracts for the building of ships, and those men were the representatives of the Emergency Fleet Corporation, although they were not officials of that corporation holding the relation to the corporation that an officer authorized to sign contracts would be required to hold; but they went out as agents of the Emergency Fleet Corporation, and as its representatives in

the sense that they were the actual attorneys in fact, duly authorized to make these negotiations, and to give assurances. Now, the men who built the ships depended upon those representatives; and while they were not representatives in the sense that they were officers of the Fleet Corporation, they were representatives in the sense that they were sent out for the purpose of making these representations and these assurances and negotiations, and the men who relied upon those assurances and representations ought not to be deprived of their rights upon a technical objection that these men representing the Emergency Fleet Corporation, duly authorized to negotiate these contracts, were not officers of that corporation.

It is amendments like that which the committee thought ought to be made plain and clear, and therefore proposed to this bill. It is not the purpose of the bill to open the door, as I said, to any different kind of settlements than those which have already been practiced prior to the present organization of this board, and under which settlements some five or six million dollars have already been disbursed. Therefore I say that the amendments to the bill do not open the door, as the Senator from Wisconsin suggests, to the disbursement of larger sums than were contemplated when the Appropriations Committee had the bill under consideration and adopted the estimates of the Shipping Board as to the cost of these adjustments. They actually appropriated the money and provided for these settlements, and yet the settlements are held up, and the money is there waiting on these adjustments. For 8 or 10 months the people concerned have been here pleading for an adjustment of their claims, and they ought to be settled, and ought to be settled now. Otherwise, delay amounts to a denial of justice, and they might just as well have no settlement at all. Many of them will go into bankruptcy before any relief can come.

As to the number of these men, I am sorry the Senator from Nebraska [Mr. HITCHCOCK] has disappeared; but he raised that question, and I would refer him to the testimony given at the hearings by Judge Payne, wherein he gives the number of shipyards that are actually involved. There can not be any more claims than there were shipyards and shipways, and that number is given on page 1 of the hearings, as follows:

Referring to the number of shipyards, there are 77 wood-ship yards; 6 concrete yards, having together 357 ways; 18 yards building wooden tugs; and 9 building barges, making a total of 93 additional ways.

Some of these, particularly as to the tugs and barges and those items, I think have already been adjusted; but there could not be more claims than there are shipyards, and there are only 77 shipyards involved in this whole matter. I wanted to clear that up, because Senators seemed to think that we were likely to become involved in the adjustment of thousands of claims and the expenditure of an indefinite amount of money.

Mr. FERNALD. Mr. President, I thank the Senator for the observation. It is not a question with me of just how much it is going to cost or just how many claims there are, but it is a question of whether the Government ought to pay its just claims and the just debts which its officers have incurred. It was entirely proper for the Shipping Board to encourage the building of ships and for the Emergency Fleet Corporation to go out and urge and implore and beg men to build ships, and courageous men all over this country were willing to put their money and their efforts into this undertaking. Nobody knows the trouble they ran into, because sometimes the lumber that was needed first, and which was controlled by the Shipping Board, came last, and that which was needed last came first; and they had to keep their organizations of men together for the building of the ships at a great disadvantage. Then, lumber that was supposed to be in the East was found not there, but had to be brought from the West. Then there was great congestion of freight, and the lumber was scattered all over the country, and was dumped from the cars and had to be reloaded. Such troubles as those came to these men who had put their money into these enterprises.

The claims are just and honest, and I do not believe the United States Government wants to repudiate a just claim. It is just as essential that we pay the express and implied claims of the Government as it is that we keep our contract in the issuing of the bonds of the United States. It would be just as fair to repudiate the Victory and Liberty bonds as to repudiate the claims of the honest men who were endeavoring to produce what would help us win the war.

Mr. EDGE. Mr. President, I am sure there is not a Senator who does not agree absolutely with the observations of the Senator from Maine that these bills should be paid. They have gone over an unnecessary period and have not been paid. But it strikes me that the bill with its amendments is so full of limitations and arbitrary rulings that it is going to result in delay rather than expedition. I think a bill of 20 lines, giving power

to the Shipping Board to make the adjustments along the lines of the contracts made, without the limitations or arbitrary rules would dispose of the question and dispose of it fairly. I think certain amendments have been suggested to the bill which do not permit of discretion, and the result will be that the Government can not make a fair bargain either way. You must delegate authority to somebody in this world when you want to make settlements. Congress can not make provision to meet the many conditions that are involved in these contracts. I would give the authority to the board to make settlements, subject to review by the Court of Claims, and not attempt to limit them by arbitrary rulings, which, in my judgment, will bring only dissatisfaction.

Mr. FERNALD. In answer to the Senator—

Mr. NELSON. Will the Senator yield to me for just a moment?

Mr. FERNALD. I yield.

Mr. NELSON. Mr. President, I simply desire to say that I was heartily in favor of the original bill before the committee. I read it over carefully. But when these amendments were brought up I was in charge of the water-power bill on the floor and I could not attend the committee meeting. I was asked if I could be counted for a quorum, and I said "yes," that I was willing to be counted for a quorum. I am heartily in favor of the original bill, but I am not in favor of the bill with the amendments that are engrafted on it by the committee. I can not support those amendments.

Mr. McNARY. Mr. President—

Mr. FERNALD. I yield to the Senator from Oregon.

Mr. McNARY. I think there is a great deal of wisdom in what the Senator from Minnesota [Mr. NELSON] has said. I suggest to the Senator having the bill in charge that all the amendments offered by the committee be stricken out except the one found on page 4, which gives the right of appeal to the Court of Claims to those who have claims against the Government, and that in place of the word "representative," on page 2, line 8, there be inserted the following:

any officer or agent acting under its authority, direction, or instruction.

That would cure the peculiar and narrow construction placed upon the word "representative" by the chairman of the Shipping Board. If that is done, it will leave the bill in its original form, except that it will place a definition on the word "representative"; and those aggrieved will be given the right of appeal. If those changes are made I think there will be but little opposition to the bill. I suggest that to the Senator having the bill in charge.

Mr. McLEAN. Mr. President—

Mr. FERNALD. I yield to the Senator from Connecticut.

Mr. McLEAN. I suggest to the Senator from Maine that if he will substitute the word "approximating" for the words "equal to," in line 24, page 3, it will leave discretion.

Mr. FERNALD. I am very glad to accept that amendment.

Mr. McLEAN. I think that will obviate largely the objections that have been raised. So that line 24, page 3, will read:

Shall include and pay an amount approximating the difference between the actual cost—

And so forth.

Mr. HARDING. Mr. President, there is some merit in the suggestion of the Senator from Connecticut, but I shall object to the adoption of the amendment suggested by the committee in its entirety unless it is the judgment of the Senate that they want to retain the provisions contained in lines 8 to 14 on page 4.

If I may make a further observation, Mr. President—

Mr. FERNALD. I yield to the Senator from Ohio.

Mr. HARDING. I think all members of the Committee on Commerce are cordially in favor of taking such steps as will enable the Shipping Board to do the just and righteous thing in settling these claims. The bill as originally drawn made ample provision to deal justly with these claimants, the wooden-ship builders of the country. Undoubtedly there are many men who entered into wood-ship building construction on the request of the Emergency Fleet Corporation with assurances that they would be properly protected in an undertaking on the Government's behalf. Nobody in the Senate would wish to interfere with a perfectly just settlement of a claim arising from such a commission. The difficulty about passing the bill in its form as suggested by the committee is that there are some claimants who are not entitled to consideration, and the bill makes it mandatory that the Shipping Board shall proceed to a settlement which takes care of every loss incurred.

Mr. President, it ought to be said that among the scores of patriotic men who entered into the shipbuilding enterprise as a matter of service to the Government there were those who entered upon speculative ventures with the most inconceivable

lack of conscience. It has never been magnified in a public way, but I have official knowledge of instances where these enterprises were undertaken, money secured from the Emergency Fleet Corporation to inaugurate an enterprise, and the money was expended on real estate ventures and the platting of town lots rather than the erection of shipyards. It is a discreditable chapter in the history of our strenuous endeavors for war preparation.

All that those of us want to do who are opposing the bill as it comes from the committee is to eliminate features which will make it mandatory on the part of the Shipping Board to settle with those adventurers.

Mr. KIRBY. I would like to suggest an amendment that might relieve the condition complained of by the Senator from Ohio.

Mr. HARDING. If the Senator will just permit me to conclude, I think I will make the situation a little more clear.

Mr. KIRBY. Very well.

Mr. FERNALD. I yield further to the Senator from Ohio.

Mr. HARDING. If the Senator in charge of the bill will accept essentially the suggestion of the Senator from Oregon [Mr. McNARY] and restore, on page 2, the provision originally written in the bill, with the addition suggested by the Senator from Oregon, so that it may be established that the enterprise was undertaken upon the advice or request or assurances of an accredited representative of the Shipping Board or Emergency Fleet Corporation, then the Shipping Board will have a basis on which to proceed to make a settlement. It would be a very simple matter to restore the bill so that there would be ample authority for the Shipping Board to make a just settlement.

I think the amendment contained on page 3, relating to prospective profits, might well stand. I like it better than the original provision. But we ought to strike from the bill the committee amendment contained in line 23, on page 3, and down to line 8, on page 4, and leave only a clause which permits a claimant to go before the Court of Claims in case he is not satisfied with the award made by the Shipping Board.

Mr. LENROOT. Does not the Senator think it would be very much better to strike out all of the committee amendments, with the exception of the one suggested by the Senator, and pass the bill as first framed?

Mr. HARDING. I should very much prefer that, although I quite agree that there might reasonably be a modification of the provision contained in lines 4 to 8, on page 2.

Mr. LENROOT. With reference to representatives?

Mr. HARDING. Yes. I think that the citizen of the country who accepted what was presumably the official representations of an agent of the Shipping Board ought to be given consideration. If one who had authority to go out and speak for the board entered a vicinity suited to wooden-ship building and invited the investment of capital by captains of industry in that section to a shipbuilding enterprise, and gave assurance that the investment would be amortized by the contracts which were allotted, I think that, in all justice, ought to be given consideration. On the other hand, if some one entered upon the shipbuilding industry as a mere adventure of war and was not sufficiently thoughtful of his own interests to see that his capital was protected, I do not think it is becoming on the part of Congress to undertake to make him whole, and I do not want to open the doors to everyone who is seeking to reach the Public Treasury to make his adventures whole. It would be a very simple matter to have the bill adjusted so as to provide everything that is necessary, and I would be glad to give it my very cordial support. I could not accept it in the form in which it is now presented to the Senate.

Mr. LENROOT. I shall be glad to support the bill if the amendment proposed by the Senator from Oregon [Mr. McNARY] should be adopted and all the other amendments disagreed to except the one as to the right of appeal.

Mr. HARDING. Let me ask the Senator from Wisconsin if he does not think the committee amendment on page 3, relating to prospective profits, is rather better than the language of the original measure?

Mr. LENROOT. I do not, for this reason: In the first place, with reference to the phraseology itself, the Senator will see that it only prohibits prospective profits where there has been no work whatever done or commitments made, but it would permit prospective profits where the work had been merely started.

Mr. HARDING. If the Senator will permit me, I think we ought to retain in the bill the clause, ending on line 3, "that no investment for merely speculative purposes shall be recognized in any manner by said board."

Mr. LENROOT. Does the Senator think that where they have made an investment in a shipyard, and in a contract there

was no provision for profits but only an amortization of costs, we should now permit them to have profits? I want to say to the Senator that no representative of anyone appearing before the committee asked for profits. They were entirely satisfied if they should be made good their losses.

Mr. HARDING. I quite agree with the Senator from Wisconsin that we ought to guard against claims for profits. I thought the provision of the committee covered that.

Mr. SMOOT. Mr. President—

The VICE PRESIDENT. Does the Senator from Maine yield to the Senator from Utah?

Mr. FERNALD. I yield to the Senator from Utah.

Mr. SMOOT. As the bill was originally drawn I was heartily in favor of it; but I quite agree with the Senator from Wisconsin in his reasons for his opposition to the Senate committee amendments. I think if the bill were agreed to exactly as it was drawn, with the exception of the one case mentioned by the Senator from Oregon [Mr. McNARY], it would be perfectly fair to the Government of the United States and perfectly fair to any honest builder of wooden ships.

Mr. FERNALD. To save any further argument, I am ready to accept the amendment of the Senator from Oregon, which, I think, meets with the approval of the Senator from Utah. I am anxious for action on this measure. It is the most necessary part of the bill which provides that these men shall be permitted to get what is due them, and I am very willing to accept the amendment.

Mr. SMOOT. I will state to the Senator that I have no desire whatever to prolong the debate.

Mr. FERNALD. I know it.

Mr. SMOOT. All I desire is to make the bill so that we can defend it anywhere we are called upon to do so.

Mr. FERNALD. I think the amendment of the Senator from Oregon will meet the approval of the Senator from Utah.

Mr. SMOOT. I rather think so, too; and I would like to have the Senator from Oregon now restate his proposed amendment.

The VICE PRESIDENT. The Chair must interrupt. The clerks at the desk can not have a bill put through in this way. The amendments will have to be taken up in order and acted upon.

Mr. SMOOT. All I asked was that the Senator from Oregon should state his amendment; and, of course, I knew it would have to come up in the regular order. Then we would know exactly what to vote against and what to vote for. I agree with the Chair that that is the only proper way to act on the amendments.

The VICE PRESIDENT. The clerks at the desk can not keep a record in any other way.

Mr. FERNALD. That is precisely the way I view the situation.

Mr. SMOOT. With the understanding that we will proceed with the bill and vote against the amendments of the committee until the part of the bill is reached to which the amendment suggested by the Senator from Oregon relates, I think the best thing to do would be to proceed with the bill.

The VICE PRESIDENT. The first amendment of the committee will be stated.

The ASSISTANT SECRETARY. The first amendment is on page 1, line 4, where the committee proposes, after the word "authorized," to insert the words "and directed."

Mr. FLETCHER. I understand the Senator in charge of the bill withdraws that amendment.

Mr. FERNALD. That was excepted.

Mr. NELSON. It seems to me the proper way is to disagree to it.

Mr. FLETCHER. Very well.

The VICE PRESIDENT. The question is on agreeing to the committee amendment.

The amendment was rejected.

The ASSISTANT SECRETARY. The next amendment of the committee will be found on page 1, line 6, after the words "United States," to insert the words "the United States Shipping Board or the United States Shipping Board Emergency Fleet Corporation."

Mr. McNARY. I think that amendment should stand.

Mr. FLETCHER. I think that amendment ought to go in, Mr. President.

The amendment was agreed to.

The ASSISTANT SECRETARY. The next amendment of the committee will be found on page 2, line 4, after the word "final" to insert a comma and the words "except as herein otherwise provided."

Mr. NELSON. Is not that a part of the language which the Senator from Oregon proposes to amend?

Mr. McNARY. No; this amendment is necessary, if we are going to retain in section 4 the part giving those aggrieved at any settlement the right of appeal, because the language is that the action of the Shipping Board shall be final "except as herein otherwise provided." It prevents being made negative the right of appeal found on page 4. So it should stand if we are going to give the right of appeal.

Mr. LENROOT. Where there is a valid contractual relation, can they not now appeal?

Mr. McNARY. I think not. It is thought not, at least.

Mr. HARDING. It is the statement of the chairman of the Shipping Board that they can go to court on a contractual arrangement.

Mr. McNARY. There was some conflict of opinion in the Shipping Board with regard to that right, and this was to make it clear.

Mr. HARDING. I have no objection to the amendment.

The amendment was agreed to.

The ASSISTANT SECRETARY. The next amendment of the committee is on page 2, beginning in line 4, where the committee proposes to strike out the first proviso, which reads:

Provided, That no claim shall be liquidated or paid unless it is alleged and found to be based upon a request or demand of the United States Shipping Board, the United States Emergency Fleet Corporation, or a representative of them or either of them.

Mr. LENROOT. Is not this where the amendment of the Senator from Oregon comes in?

Mr. HARDING. The language of the proviso must first be restored.

On a division, the amendment was rejected.

Mr. McNARY. I desire to offer at this point an amendment, if in order.

The VICE PRESIDENT. At this place?

Mr. McNARY. Yes.

The VICE PRESIDENT. Very well.

Mr. McNARY. After the word "Corporation," in line 8, on page 2, I move to insert the following—

Mr. NELSON. Will the Senator yield to me? Had he not better postpone that until we dispose of the prior amendment to the bill?

Mr. McNARY. Very well.

The VICE PRESIDENT. The prior amendment was disposed of. It was disagreed to. The proviso was restored and is subject to amendment.

Mr. McNARY. Then I move at the place stated to insert the words "or any officer or agent acting under its authority, direction, or instruction."

Mr. FLETCHER. Where does the amendment occur?

The VICE PRESIDENT. The Secretary will state the proposed amendment.

The ASSISTANT SECRETARY. After the words "Emergency Fleet Corporation," in line 8, page 2, it is proposed to insert the words "or any officer or agent acting under its authority, direction, or instruction."

Mr. HARDING. Mr. President, I desire to suggest an amendment to the amendment. I think I can clarify the amendment. I propose, on line 8, page 2, to strike out the words "or a representative of them or either of them" and substitute therefor the following:

Or any officer or agent acting under its authority, direction, or its instruction.

Mr. McNARY. I accept the amendment to the amendment.

The VICE PRESIDENT. The Secretary will state the amendment proposed to the amendment.

The ASSISTANT SECRETARY. On page 2, line 8, after the words "Emergency Fleet Corporation," strike out the words "or a representative of them or either of them" and in lieu insert the words "or any officer or agent acting under its authority, direction, or its instruction."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The VICE PRESIDENT. State the next amendment.

The ASSISTANT SECRETARY. The next amendment is, in line 9, page 2, after the word "Provided," to strike out the word "further."

Mr. LENROOT. That should be disagreed to now.

The amendment was rejected.

The ASSISTANT SECRETARY. The next amendment is, on page 2, line 12, where it is proposed to strike out the words "approval of this act," and to insert in lieu thereof "the date when this act shall become a law."

The amendment was agreed to.

The ASSISTANT SECRETARY. The next amendment is in line 16, page 2, after the words "good faith," to strike out the

words "and upon assurances by a representative of the Government that reimbursement would be provided for in money or contracts for additional work."

Mr. HARDING. This amendment by the committee ought to be rejected in order to restore the original language of the bill for amendment.

The amendment was rejected.

Mr. HARDING. In order to make this language conform to the previous language of the section I move to strike out the words "a representative of the Government," in lines 16 and 17, and substitute therefor the words "the United States Shipping Board, the United States Emergency Fleet Corporation, or any officer or agent acting under its authority, direction, or its instruction."

Mr. FERNALD. I accept that.

The VICE PRESIDENT. The Secretary will state the amendment.

The ASSISTANT SECRETARY. It is proposed to strike out, in lines 16 and 17, on page 2, the words "a representative of the Government" and insert the words "the United States Shipping Board, the United States Emergency Fleet Corporation, or any officer or agent acting under its authority, direction, or its instruction."

Mr. FLETCHER. May I suggest the correct name? The United States Shipping Board and the United States Shipping Board Emergency Fleet Corporation are the correct names.

Mr. NELSON. Will the Senator yield to me? The word "their," after the words "Emergency Fleet Corporation," should be substituted for the word "its," so that it will apply to both the Shipping Board and the Emergency Fleet Corporation. I move as an amendment to the amendment suggested by the Senator from Ohio to substitute the word "their" for the word "its" in two places in both amendments.

Mr. FLETCHER. The only question is whether we shall make it necessary that the agent shall represent both the Shipping Board and the Fleet Corporation or either of them.

Mr. NELSON. "Their" or "either of them" would be satisfactory.

Mr. FLETCHER. That would cover it.

The VICE PRESIDENT. The amendment will be stated as modified.

The ASSISTANT SECRETARY. Beginning on line 16, page 2, at the end of the line, strike out the word "a" and in line 17 strike out the words "representative of the Government" and insert in lieu thereof the words "the United States Shipping Board, the United States Shipping Board Emergency Fleet Corporation, or any officer or agent acting under their authority, direction, or their instruction, or under the authority, direction, and instruction of either of them."

The amendment as modified was agreed to.

Mr. HARDING. Since the suggestion has been made by the Senator from Florida as to the legal title of the Emergency Fleet Corporation, I want to inquire if we had better not amend line 7 so that in the previous expression we shall allude to it as the United States Shipping Board Emergency Fleet Corporation?

Mr. FLETCHER. That is the proper name. It is the United States Shipping Board Emergency Fleet Corporation.

The VICE PRESIDENT. The Secretary will state the proposed amendment.

The ASSISTANT SECRETARY. After the words "United States," in line 7, on page 2, insert the words "Shipping Board."

The amendment was agreed to.

The VICE PRESIDENT. The Secretary will state the next amendment.

The ASSISTANT SECRETARY. On page 2, line 22, it is proposed to strike out the words "and prior to November 12, 1918."

Mr. HARDING. It was the general understanding that amendments like this should be disagreed to.

The amendment was rejected.

The ASSISTANT SECRETARY. It is proposed, in lines 24 and 25 on page 2, and lines 1, 2, and 3 on page 3, to strike out beginning with the words "and that no profits" and ending with the words "by said board" and to insert in lieu thereof:

And provided further, That no prospective or possible profits of any kind shall be allowed on account of any ships or barges or other work contracted for on which no work has been done or commitments made.

The VICE PRESIDENT. The question is on the amendment. [Putting the question.] The yeas seem to have it.

Mr. FLETCHER. I should like to have a division on agreeing to the amendment. It seems to me that is an important amendment and ought not to be defeated. It simply refers to a situation that might mean that those yards which actually did not turn out any ships and did not do any work would get compensation, whereas the yards that actually built ships would have no sort of compensation for the ships they did build.

Mr. LENROOT. Would not their contract take care of that?

Mr. FLETCHER. I am not sure that it would. If it would, that is all they want. In other words, I do not want to penalize the diligent, energetic shipbuilder and put him on a footing with a man who did not actually build a ship. I want to have it understood that it does not exclude the man who actually constructed ships from making a profit on those ships.

Mr. LENROOT. I should like to ask whether Judge Payne did not testify before the committee that where they had a contract that was canceled in making the adjustment they could allow as part of the damages prospective profits?

Mr. FLETCHER. If that is the understanding I have no objection to the rejection of the amendment. It was simply to cover a situation such as I mentioned that the amendment was proposed, and it should not be defeated unless it is understood in that way.

The amendment was rejected.

The ASSISTANT SECRETARY. The next amendment is, on page 3, line 11, after the words "nor the right," where it is proposed to insert the words "of the United States Shipping Board or the United States Shipping Board Emergency Fleet Corporation."

The amendment was agreed to.

The ASSISTANT SECRETARY. The next amendment is, on page 3, after line 22, where it is proposed to insert the following language:

That in adjusting such claims the said board shall include and pay an amount equal to the difference between the actual cost of the yards, plants, facilities, machinery, and equipment provided for use in connection with the construction of ships or barges under contracts with the United States Shipping Board or the United States Shipping Board Emergency Fleet Corporation and the salvage value of said yards, plants, facilities, machinery, and equipment at the time of adjustment, less such amount as the contracts specify shall be allowed for depreciation for each delivered ship hull and for each delivered barge: *Provided further*, That in the event any claimant shall be dissatisfied with any allowance or award made by said board pursuant hereto, such claimant may appeal therefrom with respect thereto to the Court of Claims, which is hereby given jurisdiction to make such allowances and awards, in the case of such appeals, as it may deem just and equitable.

Mr. McNARY. I move to amend the committee amendment by striking out that portion commencing with the word "That," on line 23, page 3, and ending with the word "barge," on page 4, in line 8.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The ASSISTANT SECRETARY. On page 4, line 15, beginning with the word "That," it is proposed to strike out all down to and including the words "in the manner aforesaid," in line 3, page 5, and to insert:

And provided also, That the board shall promptly pay all pending undisputed claims and all undisputed portions of pending claims and.

The amendment was agreed to.

The ASSISTANT SECRETARY. It is proposed to add a new section to the bill, to be known as section 2, as follows:

SEC. 2. That it shall be the duty of the United States Shipping Board, either directly or through the United States Shipping Board Emergency Fleet Corporation, to adjust promptly all claims of wooden-ship builders based upon legal liability created by contracts under which vessels have been constructed and based on contracts which have been canceled by the United States Shipping Board Emergency Fleet Corporation; and in making such adjustments due consideration shall be given to the conditions under which the contracts were entered into and the conditions under which the work of construction was performed resulting from the orders or directions of the President of the United States and any officer, board, or agency appointed or created by him or under his direction, or resulting from orders or directions of the United States Shipping Board Emergency Fleet Corporation or the Shipbuilding Labor Adjustment Board, or any representative of either thereof, and such adjustments of claims of legal liability shall be made without regard to any claim submitted under section 1 hereof.

Mr. FERNALD. I move to reconsider the vote whereby we struck out from line 15 on page 4 down to and including line 3 on page 5. It was understood that that language should be retained.

The motion to reconsider was agreed to.

The VICE PRESIDENT. The question is on agreeing to the amendment.

Mr. LENROOT. I had no objection to a reconsideration, but I want to call the attention of the Senator from Maine to the objection that was raised in the committee to the language of the text. The proviso beginning in line 17 would seem to charge the board, in arriving at the amortization to be allowed, with treating a plant in every case as scrapped and they would not be permitted to treat its full value as a going concern. If that language is to be retained, there should be an amendment covering its value as a going concern. So I think we could strike this whole language out and yet the board could take into consideration all these matters.

Mr. FERNALD. If there were nothing in its place, it would seem to me to leave the matter in a quite unsatisfactory shape for a settlement. If there were some amendment—

Mr. LENROOT. Oh, yes; then the board would take the whole matter and allow such amounts as it deemed just and equitable under the first section of the bill.

Mr. FERNALD. The Senator suggests that we strike this out entirely?

Mr. LENROOT. Strike it out entirely. I am afraid this limits it against the Government.

Mr. FLETCHER. Would not the Senator's objection be reached by including after the word "any," in line 20, the words "such plant or the"? Then it would read "the then market value of any such plant or the lumber or materials."

Mr. LENROOT. That is all right.

Mr. FERNALD. I think that would cover it.

Mr. FLETCHER. I think we had better leave it in. I move that amendment to the whole paragraph. The first question is on disagreeing to the committee amendment to strike out, I understand. Does the Senator from Maine desire the committee amendment which strikes out the paragraph to be disagreed to?

Mr. FERNALD. The amendment which the Senator suggested was acceptable.

Mr. FLETCHER. Then the Senator from Maine desires that the committee amendment striking that language out of the bill shall be disagreed to and the language shall remain in the bill, and then we will amend that language?

Mr. FERNALD. That is right.

Mr. HARDING. Mr. President, may I make this clear? If the Senate wants to complete this bill and carry out the program on which we are essentially agreed, we must first reject the committee amendment.

Mr. FLETCHER. Precisely.

Mr. HARDING. And then it is open to the suggested amendment of the Senator from Florida.

Mr. FLETCHER. Precisely.

Mr. LENROOT. It is open to amendment now. We may perfect before we strike out.

Mr. FLETCHER. The first question is, Shall the committee amendment be agreed to?

Mr. LENROOT. I suggest that the amendment of the Senator from Florida is in order. It is always in order to perfect an amendment before a motion is made to strike out.

The VICE PRESIDENT. That is true.

Mr. FLETCHER. Then I move first to insert, after the word "any" in line 20, the words "such plant or the," so that it will read:

The then market value of any such plant or the lumber or materials on hand—

And so forth.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. Before the word "materials," on line 20, it is proposed to insert the words "such plant or the."

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The VICE PRESIDENT. The question now is on the amendment of the committee to strike out.

The amendment was rejected.

The VICE PRESIDENT. The last amendment, section 2, has been read. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. ASHURST. Mr. President, I shall vote for this bill with pleasure. We hear a vast deal about economy. I knew a man once who economized by escaping the payment of his just debts, but I do not believe the Federal Government should attempt to economize in that way. The way to have citizens love this Republic, and spring to its frontiers when it is in trouble, is to have the Republic pay its just debts. The Democratic Party to-day stands convicted of inefficiency in the matter of liquidating this war. The Republican Party is equally guilty of gross inefficiency in liquidating the war.

Here is the treaty of peace "lodged" in the Senate. The other nations are making forward moves looking toward liquidating the Great War, whilst partisan politics dominate our country and candidates for President are bombarding the circumambient atmosphere thinking they are going to get elected on a speech, whereas they could promote their chances by doing their duty here. We are not making a good record on this side of the Chamber and you are not making a good record on the other side. We are thinking only of politics in this day when action is required. So, Mr. President, I welcome this bill and all others like it that seek to liquidate the recent war.

The League of Nations convened on the 16th instant. The country inhabited by the Ottoman Turk was conspicuous by its absence from the league. Germany was not represented, Russia did not answer, and we were conspicuous by our absence. I

do not mean by that set of circumstances to infer that the Senate should ratify the treaty as it is written, because that can not be done. Men who indulge in the luxury of thinking know that the treaty can not be ratified as it is written. So much for that. Why, therefore, it is asked, does not the President recede? He can not recede as a matter of honor. Therefore it is the duty of the Senate, without regard to what the President thinks or does not think, manfully, courageously to press forward and ratify the treaty in the form in which the Senate thinks it should be ratified. That is the duty of the Senate to-day; but here we are planning, scheming, plotting as to who is going to be the next President, and all of us demonstrating that none of us is fit to be President.

Very recently the New York World announced to the country that a certain man who is not identified with any political party should be nominated for President. I was amazed at the popularity and the enthusiasm that greeted his name, although he will never be President. He will never be nominated. The enthusiasm and the admiration for his candidacy arises not because he lived in England some years; it arises not because he can talk luminously and write history well; but the admiration and the enthusiasm of the American people for his name arises simply, solely, and only because he can do the duty of the hour instead of talk about it.

We have some 15 or 20 men in the Senate who want to be President. There is no reason why the Vice President of the United States or some United States Senator should not be the next President; but we must begin, if we are going to be taken seriously by the country, to demonstrate that we can do business.

Consider France, which has one-third of the population of the United States. She was bled white by war. France within one year after the armistice filled in 74,000,000 cubic yards of excavated earth. France within that one year rebuilt 93 per cent of her double-track railroad, or 900 miles. France within one year rebuilt 90 per cent of her single-track road, or over 400 miles. She had 550,000 homes, mostly built of stone, destroyed during the war, and within one year she rebuilt 60,000 of them, and is now in process of rebuilding 96,000 more, or 156,000 in all. France during the war had 1,100 bridges and tunnels completely destroyed, but she has permanently rebuilt 550 of them. These figures translated into other terms mean that France, with one-third the number of our people, has done vastly more work than the United States has done during the past year. And what have we done? Filled the air with talk and filled the corners with schemes and plots and plans as to who is to be the next President!

It is time that the two great political parties began to liquidate the war, began to make good some of the promises we gave during the war, began to pay the just debts incurred during the war, and I regard this bill as one that is a progressive step, because it looks toward the discharge of the obligations we incurred in the war.

Our land is filled with discontent and with shoutings, whilst other nations are working. News is even now coming over the cables that Russia is thinking of going to work! The Germans have gone to work. Here we sit with the treaty "lodged" in the Senate, eagerly listening to hear what the White House whispers as to how we should vote! What kind of statesmanship is that? We should to-day take up the treaty, appreciating full well that the President can not recede if he desired to. Shame on him if, after sitting for months at the table with our allies and making that treaty, he then would quietly and under cover say to us, "Yes; go ahead and carve the heart out of the treaty, and I will pretend to our allies that I am sorry about it, but can not prevent it"! The President is manfully and honorably doing just what he ought to do, standing by our allies, and here we sit, knowing that he will never change his mind on the treaty; that he can not change his views on the subject if he wanted to, because honor prevents him from doing it. We should therefore delay no longer.

January, 1919, went by; the ides of March came; the ides of July and November passed; the autumnal leaves fell thicker than presidential candidates. The snows of winter came again, found us planning, "politicking," and disgusting the American people.

The Constitution lays a duty upon us regarding treaties. Are we going to discharge that duty according to our own views or the views of some one else? Let us therefore sit here and vote and vote and vote until we ratify something; and I give you now the assurance that no one will be more pleased than the President when we show him that we are able to do something constructive without asking his permission. He would be one of the most delighted individuals in our country to discover that the Senate could do something without finding out in advance

what he thinks about it. Such action on our part would make him admire the Senate.

If you want men to respect you in this world, do not ask them what they think; think what you think. Do not ask another man what he thinks about something; think what you think yourself and then act upon it. But here we sit, unable to get a vote on the treaty, because, forsooth, we do not know what another man thinks—a beautiful commentary on the United States Senate! Shades of Roscoe Conkling and Ben Hill and Lamar and Webster! If we go to the country, my fellow Senators, with this war unliquidated, with no more forward step than we have made to date, we will find out what the American people think.

I am proud of the Senate. I want to continue to be proud of the Senate. I want to remain here as long as I may; but who will be proud to remain in a body which ties up a peace treaty for many months, unable to proceed, forsooth, because it does not know how some other man may think?

I thought to-day, therefore, whilst I was in such good humor and had a few minutes to spare, I would say a word on these subjects. I am glad this bill is here. There are other bills of like character that ought to be here. I repeat, if you want citizens of the United States to love the United States, let the United States pay its debts, not only its financial debts but its moral and its physical debts.

What have we done for the private soldier? The bill providing the bonus for the soldier—where is that? In the limbo of things that are dead. Where is the soldier settlement bill? My party is responsible just as much as yours for this situation, sir; and this is not a partisan speech. Where is the soldier settlement bill? Dead beyond hope of resurrection. Where is the bill appropriating, or lending rather, \$250,000,000 to build up the irrigation systems of the West? It has been struck a fatal blow.

Let me discuss for a moment the bill introduced by the Senator from Washington [Mr. JONES], a statesman of large view. He does not belong to my party. I think he would be a better man if he did belong to my party. He introduced a bill appropriating—no; I will not use the word "appropriating"—proposing to lend to the arid and irrigable States \$250,000,000, to be repaid to the Federal Government, and this \$250,000,000 is proposed to be used for the purpose of continuing the construction of irrigation projects heretofore begun and for the purpose of commencing the construction of irrigation projects that may be found feasible by the Secretary of the Interior. The governors of western States, some 15 or 20 in number, came here. They were told, Mr. President, that this \$250,000,000 could not be loaned to the farmers, although it would easily be repaid, because it might be necessary to feed Europe this winter! That is the statement that was given to us—no money with which to finance our own farmers, no money to lend to our farmers! It must be given to Europeans.

So, Mr. President, let us pause and see what we have done in this regard. Economy? Economy? Why, yes; we all favor economy when we are in the minority. Let us just see what we have done in regard to lading out the money of our people to other countries, and then I want to put into juxtaposition with it the statement that we can not lend to our own farmers this \$250,000,000!

In round numbers we have loaned the following sums of money:

To Belgium, \$343,445,000.
To Cuba, \$10,000,000.
To Czecho-Slovakia, \$55,330,000.
To France, \$3,047,000,000.
To Great Britain, \$4,277,000,000.
To Greece, \$48,000,000.
To Italy, \$1,620,000,000.

To Liberia, \$5,000,000. There are 40,000 civilized people in Liberia and two and a half million savages. Our Government lent them \$5,000,000, but it has not a cent to loan our own farmers.

Roumania, \$25,000,000.

To Russia, land of Trotzki and Lenin, the murderers who sink their teeth into the flesh of humanity; Russia, with blood dripping from her lips, looking for some one else to destroy. We have laded out to Russia \$187,000,000; and yet, when our farmers want to borrow \$250,000,000 and pay it back in 10 years we are told that we have got to have money to take care of Europe first!

To Serbia, \$26,780,000.

Mr. WOLCOTT. Mr. President, will the Senator yield?

Mr. ASHURST. I yield; certainly.

Mr. WOLCOTT. The Senator does not mean to convey the impression, does he, that we have loaned \$187,000,000 to the

Bolsheviki in Russia? Was not this money loaned before the revolution of March, 1917, arose?

Mr. ASHURST. No. I will say to my learned friend that some of that money was loaned as late as—now, let me see: The Russian revolution took place officially about the time when many revolutions take place, about the 17th of March, 1917. At that time Nicholas Romanoff was driven off the throne and the provisional government established. The Bolsheviks established their supremacy about the 1st day of November, 1917. It may be—and I think the Senator is correct—that a large part of the money we loaned to Russia, if not all thereof, was actually advanced to Russia before the Bolsheviks took control, so I stand corrected as to that.

Mr. WOLCOTT. If I may venture to speak in the language of assurance, the Senator is correct. We have loaned no money to these men that the Senator has properly described as murderers, Lenin and Trotsky, nor any of their régime. All the money that was loaned to Russia was loaned before that band got control.

Mr. ASHURST. I think that is correct, so I withdraw the statement; but I have no doubt that if Trotsky and Lenin were to make the right kind of moves, and would sing the right sort of tune, Trotsky and Lenin would be just as likely to get a loan as would the American farmer, from what I have seen taking place here. So while it is true that we did not lend money to the Trotsky and Lenin régime, let me ask, Who is going to pay back that loan if they do not? Whence will come the money to repay it if they do not repay it? And repaying loans is not in their catechism.

Mr. HARDING. Mr. President—

Mr. ASHURST. I yield to the Senator.

Mr. HARDING. I dislike to interrupt the Senator—

Mr. ASHURST. I am glad to have the Senator interrupt me, because I regard his interruption as possibly the best part of my speech.

Mr. HARDING. But if the Senator will recall his admonition, at the beginning of his remarks, that we should fulfill our contracts, and will just give us two minutes, we will have this bill out of the way before the 2 o'clock ban comes on. Would the Senator mind doing that?

Mr. ASHURST. Two minutes to 2? The Senator's watch is very different from mine.

Mr. HARDING. No; I say we can dispose of it in two minutes.

Mr. ASHURST. Mr. President, I do not wonder that the Senator from Ohio dislikes to hear this speech. I do not wonder that he asks that I stop it. He and other presidential candidates have been equally guilty of a lack of constructive statesmanship on the treaty, and no wonder he prefers not to hear this speech.

Mr. HARDING. Mr. President, the Senator from Arizona has very much misconstrued me. I am not only delighted, I am elated over the speech of the Senator from Arizona, and the last thought I could have in the world would be to interrupt the flow of his illuminating eloquence.

Mr. ASHURST. The Senator is a good judge of speaking; I can see that. [Laughter.]

Mr. HARDING. I am not only a good judge of speaking but I rejoice at certain things going into the Record from the Senator's viewpoint.

Mr. ASHURST. As an evidence of that, the Senator would like to have them shut off.

Mr. HARDING. No. If the Senator will permit me, in all seriousness, this bill must be passed by 2 o'clock or it will go over another day, and in two minutes it can be disposed of. I will ask the Chair not to take the floor from the Senator who is speaking after the pending bill is disposed of.

Mr. ASHURST. That is most generous, Mr. President. I am so overwhelmed by the kindness of the next nominee of the Republican Party that I think I will quit talking. [Laughter.]

Mr. HARDING. I have not lived entirely in vain, then, Mr. President, with the permission of the Senator from Arizona, may I ask for a reconsideration of the vote by which section 2 of the bill was adopted, so that in accordance with the general agreement it may be rejected and the bill go to its passage?

Mr. KENYON. Mr. President, has the Senator from Arizona given up the floor?

Mr. HARDING. I so understood.

Mr. ASHURST. Mr. President, I shall not be facetious further, and if I said aught that seemed to be improper I hope the Senator from Ohio will forgive me. I am earnestly in favor of the passage of this bill; and I want it to pass before 2 o'clock, and I shall stop speaking in a few minutes.

Mr. KENYON. I simply want to suggest to the Senator from Arizona that a very important bill is coming on at 2 o'clock, and if he feels that he must make his speech to-day, I hope he will not put it over until after 2 o'clock.

Mr. ASHURST. Very well. It was somebody's task to say these sharp things; it was somebody's task to say these things that are very unpleasant to say. It is not at all pleasant to say such things. I have an affection for every Member of the Senate, and I crave their affection. But Senators on the other side are making a poor record. The Democratic Party is making as poor a record as you are making. Great constructive measures looking toward the benefit of the country are delayed. When will we liquidate the war? When will the peace treaty be ratified? No man knows. The majority should make an effort to ratify some kind of a treaty soon.

So, Mr. President, having on this morning made a somewhat unpopular speech, but a true speech, one which every Senator here knows is true, I will conclude with an observation from either Lord Macaulay or Addison, probably Addison, about a certain political upholsterer.

There was in London an industrious man who had a shop, and with that shop he kept his family, not in opulence but in comfort; he even kept a coach, so much were his profits and his revenues from his upholstering. But strangely enough he began to think of what Holland ought to do and what Poland ought to do and what Germany ought to do and what France ought to do and he neglected his shop in order to find time to talk about Poland and France and Holland and Germany.

Then he enlarged the scope of his conversation to Russia, and he so neglected his shop whilst talking about what Holland and Russia and Prussia et al. ought to do that his customers began to fall off. He could not pay his bills; he could not keep his coach; he could not pay his servants. His eldest daughter was taken out of school and went to work in somebody else's kitchen. His son was taken out of school and bound out as an apprentice. His shop was sold at public sale, the coach was sold, the family plate was sold, and he was reduced to complete beggary and his family was sent to the poorhouse, because he insisted that he ought to upholster Poland, France, and Russia, and Germany and the other foreign countries, whilst his own household was reduced to wretchedness.

Let us not, Mr. President, in these parlous times be political upholsterers; let us quit worrying about what some other country is going to do, quit worrying about what other men are thinking. Let what we ought to do be sufficient for us to do. Let us do our duty. Then we will find that we have kept our shop, we have not reduced our constituents to beggary, and we have, in addition thereto, elevated ourselves in the estimation of the American people.

Mr. FERNALD. I move that the Senate reconsider the vote whereby section 2 was agreed to. I desire to have section 2 stricken from the bill.

The motion to reconsider was agreed to.

The VICE PRESIDENT. The question is on the amendment to insert section 2 of the bill.

The amendment was rejected.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill authorizing and directing the United States Shipping Board to adjust and pay the claims of wooden-ship builders arising out of the prosecution of the war, and for other purposes."

AMERICANIZATION OF ALIENS.

Mr. KENYON. I move that the Senate proceed to the consideration of Senate bill 3315, the unfinished business.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3315), to promote Americanization by providing for cooperation with the several States in the education of non-English-speaking persons and the assimilation of foreign-born residents, and for other purposes.

Mr. KENYON. The pending amendment is the amendment of the Senator from South Dakota [Mr. STERLING], which has been thoroughly discussed. I ask for a vote on that amendment.

Mr. FLETCHER. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Assistant Secretary called the roll, and the following Senators answered to their names:

Ashurst	Borah	Chamberlain	Dial
Ball	Brandagee	Colt	Fernald
Beckham	Capper	Curtis	Fletcher

Frelinghuysen	Jones, N. Mex.	New	Sterling
Gerry	Jones, Wash.	Newberry	Sutherland
Gronna	Kenyon	Norris	Townsend
Hale	Lodge	Nugent	Trammell
Harris	McCumber	Page	Underwood
Harrison	McKellar	Sheppard	Wadsworth
Hitchcock	McNary	Smoot	Walsh, Mass.
Johnson, Calif.	Nelson	Spencer	Wolcott

The PRESIDING OFFICER (Mr. ASHURST in the chair). Forty-four Senators only having answered to their names, a quorum of the Senate is not present. The Secretary will call the names of the absentees.

The Assistant Secretary called the names of the absent Senators, and Mr. OVERMAN, Mr. PHELAN, Mr. PHIPPS, Mr. REED, Mr. SMITH of Georgia, Mr. SMITH of South Carolina, and Mr. WILLIAMS answered to their names when called.

Mr. KELLOGG, Mr. MCCORMICK, Mr. EDGE, Mr. ELKINS, Mr. CUMMINS, Mr. FRANCE, Mr. MOSES, and Mr. SMITH of Maryland entered the Chamber and answered to their names.

Mr. GERRY. The Senator from Arkansas [Mr. ROBINSON] and the Senator from Ohio [Mr. POMERENE] are absent on official business.

Mr. HARRISON. The Senator from Florida [Mr. TRAMMELL], the Senator from Nevada [Mr. PITTMAN], the Senator from Kentucky [Mr. STANLEY], the Senator from Tennessee [Mr. MCKELLAR], the Senator from Colorado [Mr. THOMAS], and the Senator from Nevada [Mr. HENDERSON] are absent on official business.

The PRESIDING OFFICER. Fifty-nine Senators having answered to their names, a quorum of the Senate is present. The question is on the amendment offered by the Senator from South Dakota [Mr. STERLING].

Mr. HARRISON. Mr. President, may the amendment be read?

The PRESIDING OFFICER. The Secretary will read the amendment.

The READING CLERK. On page 3 strike out lines 23, 24, and 25, and lines 1 to 6, inclusive, on page 4, and insert the following:

(e) Require all resident persons, whether citizens of the United States or aliens, 16 years of age or over and under 21 years of age, who are not physically or mentally disqualified and who are illiterate or unable to understand, speak, read, or write the English language, to attend classes of instruction for not less than 200 hours per annum until they shall have completed a specified course prepared by the Department of Education or chief school officer of the State and approved by the Secretary of the Interior; *Provided*, That this shall not apply to those who are in this country temporarily for sojourn or business.

Mr. KENYON. Mr. President, while I have no authority to accept the amendment, I believe it ought to be adopted.

Mr. WILLIAMS. I ask for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. GRONNA. Mr. President, if it is not too late, I ask to have the amendment stated.

The PRESIDING OFFICER. There has been no response. The Secretary will state the amendment.

The reading clerk again read Mr. STERLING's amendment.

Mr. NORRIS. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. NORRIS. Do I understand the Chair to say that the question is still open to debate?

The PRESIDING OFFICER. No. The roll call was begun and three names were called, but there was no response, and the Senator from North Dakota [Mr. GRONNA] asked that the amendment be stated. The only thing to be done now would be to continue the calling of the roll.

Mr. NORRIS. It would not follow, then, that debate could be had?

The PRESIDING OFFICER. Only by unanimous consent. Is there objection? There being no objection, the Senator is now in order to discuss the proposed amendment.

Mr. NORRIS. Mr. President, I should like to have the attention of Senators. I have a provision that I wish to read to the Senate that is not in order now because it is a substitute, and the Senator from South Dakota [Mr. STERLING] has already offered a substitute. I have prepared a substitute for this language, and I should like to have the Senate know about it before the vote on the pending question is taken. I expect to offer my substitute. I would offer it now if it were possible under the parliamentary situation. May I inquire of the Chair if it would be in order for me to do so at this time?

The PRESIDING OFFICER. There is an amendment pending.

Mr. NORRIS. But, as I understand, it is a substitute that is now pending?

The PRESIDING OFFICER. It is a proposed substitute.

Mr. NORRIS. Of course, I could not now offer another substitute.

The PRESIDING OFFICER. Not at this time.

Mr. NORRIS. I will be able to offer the amendment when the pending substitute is disposed of, no matter whether the substitute is agreed to or not?

The PRESIDING OFFICER. If it is agreed to, other matter could be substituted; but if it is defeated, the Senator's offer would be of an amendment to the text of the bill.

Mr. NORRIS. It would be a substitute for the original text. There is a great deal of dispute as to just what ought to be contained here. I am not going over what I said yesterday, but it does seem to me that we ought not to require a State, in order to get any of this money, to provide for a compulsory system of education for grown people. As soon as the parliamentary situation is such that I can offer it, I propose to offer as a substitute that which I shall now read:

Provide by general law for free public schools in the English language that can be attended for at least six months in each year by all resident children of school age, and provide by law for free schools that can be attended by residents of the State of any age who are unable to speak, read, or write the English language, where instruction in English language can be received for not less than 200 hours per annum.

That would relieve what to my mind and I think what probably in the minds of a great many other Senators is particularly objectionable in the original text and in the substitute.

Mr. HARRISON. Mr. President, will the Senator yield?

Mr. NORRIS. Certainly.

Mr. HARRISON. The amendment suggested by the Senator from Nebraska includes resident illiterates, does it not?

Mr. NORRIS. The first part of it, "children of school age," includes everybody that is of school age.

Mr. HARRISON. I merely desire to get the position of the Senator. I understood him to say yesterday in a colloquy with the Senator from Iowa [Mr. KENYON] what I read from the RECORD:

Mr. KENYON. Mr. President, I want to get clearly in my mind the Senator's position—

Speaking to the Senator from Nebraska—

Would he leave the illiterates out of the bill entirely?

Mr. NORRIS. Yes; I would.

I thought, perhaps, the Senator was going to offer an amendment that would leave the illiterates entirely out of the bill.

Mr. NORRIS. I think the Senator will agree with me now, when he considers the amendment I am going to offer if I get an opportunity, that I have, in effect, left the illiterates out, excepting that the States must provide a law for children of school age; that they must be free to attend school for six months in the year. In that class is included all who are residents and who are within the school age provided for by the State laws. That would include illiterates and it would include foreign-born and native-born children just the same. But when it comes to the other part, where we provide schools—presumably evening schools—to teach the English language illiterates are not included in that provision. If the Senator will allow me to read it again, I will show clearly that they are omitted and that the schools for grown people are confined entirely to instruction in the English language. It reads:

Provide by general law for free public schools in the English language that can be attended for at least six months in each year by all resident children of school age, and provides by law for free schools that can be attended by residents of the State of any age who are unable to speak, read, or write the English language, where instruction in the English language can be received for not less than 200 hours per annum.

Mr. HARRISON. That removes the compulsory feature of the bill, does it not?

Mr. NORRIS. It entirely removes the compulsory feature of the bill.

Mr. HARRISON. Providing for six months' schooling?

Mr. NORRIS. The State must provide for six months' schooling for its children of school age, regardless of whether they are foreign-born or native illiterates.

Mr. HARRISON. Does the Senator intend that the Federal Government should make an appropriation to carry out that provision?

Mr. NORRIS. That is, the State must do that in order to get any of this money.

Mr. HARRISON. The Federal Government is going to co-operate with the State, as I understand, by putting up half and the State half. Is that right?

Mr. NORRIS. Yes.

Mr. HARRISON. The bill provides for 200 hours' schooling a year. The Senator's amendment would provide for not less than six months.

Mr. NORRIS. No; the Senator is wrong there, as I understand it. The 200 hours' a year are left in the amendment just as it is in the bill. That applies to people above school age who are studying the English language.

Mr. HARRISON. To what do the six months apply?

Mr. NORRIS. To children of school age only.
Mr. HARRISON. Has the Senator any idea how much that would cost the Federal Government?

Mr. NORRIS. The bill itself fixes the limit.

Mr. HARRISON. It would certainly cost more to include what the Senator proposes to include than it would if left as originally worded.

Mr. NORRIS. I do not think so. It would cost much less.

Mr. HARRISON. The Senator thinks it would cost much less?

Mr. NORRIS. Yes.

Mr. HARRISON. The Senator does not think it would require \$85,000,000?

Mr. NORRIS. I have not gone into that, because this does not affect the appropriation or the authorization for an appropriation, one way or the other, of course.

Mr. SMOOT. May I ask the Senator to read the first paragraph of his proposed amendment?

Mr. NORRIS. It reads as follows:

Provide by general law for free public schools in the English language that can be attended for at least six months in each year by all resident children of school age.

Mr. SMOOT. Do I understand the Senator has in mind teaching merely the English language?

Mr. NORRIS. Oh, no; but that the public schools of the State must be English schools and not conducted in a foreign language.

Mr. SMOOT. The Senator's idea is to allow teaching of any science or any study in any department of education?

Mr. NORRIS. Oh, yes. I do not want to interfere with the State law on the subject. This, of course, would not apply to a college or a high school or anything of that kind.

Mr. SMOOT. It would apply to primary schools?

Mr. NORRIS. Yes.

Mr. SMOOT. Would that be understood by the State to mean that the Government of the United States would pay half the expenses of the running of their primary schools?

Mr. NORRIS. Oh, no. If the Senator will notice where that is to come in, he will see that it is one of the requirements (e) at the bottom of page 3 of the bill. There are certain requirements in the bill that the law, if enacted, would compel the States to comply with in order to get any of the money. This simply requires that they must have public schools; that those public schools must be free; that they must be open at least six months in each year; and that they must be conducted in the English language.

Mr. SMOOT. Take any State in the Union and consider the conditions existing to-day. There is no State in the Union that has not free schools; there is no State in the Union that is not teaching English in its schools; and there is no State in the Union that does not begin with the primary grades and go up to the eighth grade in its free public schools. As I understand the wording of the Senator's amendment, all the State would have to do would be to adopt this requirement, and, doing so, then the Government of the United States would pay half of the expense of maintaining the schools.

Mr. NORRIS. Oh, no.

Mr. STERLING. They would not need to make it compulsory at all.

Mr. SMOOT. No.

Mr. STERLING. But we put the General Government in the position of giving half the money to support the free schools of the States.

Mr. SMOOT. That is what I think.

Mr. KENYON. It would not require the teaching of any language, would it?

Mr. NORRIS. Oh, yes; the common schools must be conducted in the English language. The requirement of the bill, for instance, for which I want to substitute this, although there is one substitute pending, is to "require all residents who are citizens of the United States, 16 years of age and over and under 18 years of age, and all residents of more than six months who are aliens, 16 years of age or over and under 45 years of age, who are illiterate or unable to understand," and so forth.

That goes a great deal further. It includes in its original form, as reported by the committee, grown people, and makes it compulsory. That is what I object to. I do not believe that is a practical proposition. Personally, I would have no objection to making the common schools compulsory; but I realize it would be objectionable in a great many instances.

The principal object I am trying to attain in this amendment is that those people who are to be taught English, who can not speak the English language, shall have an opportunity in the State, not be compelled to do it, but that they shall have an opportunity, without expense, to learn the English language.

Mr. SMOOT. I am in perfect accord with the Senator there, as he must have gathered from what I said yesterday.

Mr. NORRIS. Yes; I think so.

Mr. SMOOT. But I am fearful the first paragraph of his amendment would simply mean that the Government of the United States shall hereafter pay one-half of all expenses of maintaining all of the schools in all of the States.

Mr. NORRIS. I do not want to do that.

Mr. SMOOT. I did not think so.

Mr. NORRIS. I do not think the amendment does that. Of course, if it does, I would not want it. Let me explain a little further. Here is a statute that comes along and says, "We will give to the State a certain amount of money, but before we give it we will require you to do certain things; you have to enact certain kinds of laws." I provide that one of those kinds of laws must be that they must have common schools that are free and which must be conducted in the English language.

It is true that probably all of the States, at least with only one or two exceptions, already have that kind of a law; but we can require that, even though we pay nothing toward it, before we will give the money to pay for something else. If the Senate thinks the language I have used would bind the Government of the United States to pay half the expense of the common schools, I would be willing to strike it out and leave nothing in except the last clause, as follows:

Provide by law for free schools that can be attended by residents of the State of any age who are unable to speak, read, or write the English language, where instruction in the English language can be received for not less than 200 hours per annum.

Mr. SMOOT. That, I agree with the Senator, is a splendid provision.

Mr. NORRIS. That is what I am trying to reach in the amendment I propose to offer.

Mr. SMOOT. I suggest to the Senator that he confine his amendment, when he does offer it, to the second paragraph and leave out the first paragraph entirely.

Mr. NORRIS. I do not think that would be the construction; but if Senators fear it would be I do not think I would weaken it any by striking it out. I just wanted to let the Senate know, before we vote on the particular substitute now pending, that in due time I am going to offer this, no matter whether the pending substitute goes in or is rejected.

The PRESIDING OFFICER (Mr. WOLCOTT in the chair). The question is on the amendment of the Senator from South Dakota [Mr. STERLING], on which the yeas and nays have been ordered.

The Reading Clerk proceeded to call the roll.

Mr. HARRIS (when his name was called). I have a pair with the Senator from New York [Mr. CALDER]. I transfer that pair to the senior Senator from Alabama [Mr. BANKHEAD] and vote "nay."

Mr. JONES of Washington (when his name was called). The Senator from Virginia [Mr. SWANSON] is necessarily absent on account of the illness of his wife. I have agreed to take care of him by a pair during his absence and therefore withhold my vote.

Mr. STERLING (when Mr. McCORMICK's name was called). I wish to state that the Senator from Illinois [Mr. McCORMICK] is necessarily absent from the Senate. He is paired with the Senator from Nevada [Mr. HENDERSON].

Mr. McCUMBER (when his name was called). I have a general pair with the senior Senator from Colorado [Mr. THOMAS]. He being absent from the Chamber, I withhold my vote.

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from Wyoming [Mr. WARREN]. He being absent, I withhold my vote.

Mr. SMITH of Maryland (when his name was called). I have a general pair with the Senator from Vermont [Mr. DILLINGHAM]. He is detained on account of illness. In his absence I withhold my vote.

Mr. WALSH of Montana (when his name was called). Has the Senator from New Jersey [Mr. FRELINGHUYSEN] voted?

The PRESIDING OFFICER. He has not.

Mr. WALSH of Montana. I have a general pair with that Senator, which I transfer to the Senator from Colorado [Mr. THOMAS] and vote "nay."

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the junior Senator from Arizona [Mr. SMITH] and vote "yea."

The PRESIDING OFFICER (when Mr. Wolcott's name was called). The present occupant of the Chair transfers his general pair with the senior Senator from Indiana [Mr. WATSON] to the junior Senator from Rhode Island [Mr. GERRY] and votes "yea."

The roll call was concluded.

Mr. BALL. I have a general pair with the senior Senator from Florida [Mr. FLETCHER]. I understand that he has not voted.

The PRESIDING OFFICER. He has not.

Mr. BALL. If he were present, I should vote "yea." As he is absent, I withhold my vote.

Mr. HARDING. I transfer my pair with the junior Senator from Alabama [Mr. UNDERWOOD] to the senior Senator from Kansas [Mr. CURTIS] and vote "yea."

Mr. McCUMBER. I understand that arrangements have been made for the transfer of my pair on this question. That leaves me at liberty to vote, and I vote "yea."

Mr. CHAMBERLAIN. I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX], which I transfer to the senior Senator from Arkansas [Mr. ROBINSON] and vote "yea."

Mr. SMITH of Georgia (after having voted in the affirmative). I have a general pair with the senior Senator from Massachusetts [Mr. LODGE]. He has not voted. I transfer that pair to the senior Senator from Tennessee [Mr. SHIELDS] and will let my vote stand.

Mr. BALL. I transfer my pair with the senior Senator from Florida [Mr. FLETCHER] to the senior Senator from Illinois [Mr. SHERMAN] and vote "yea."

Mr. GORE. I desire to announce that I am paired with the junior Senator from West Virginia [Mr. ELKINS], and will therefore withhold my vote until he returns.

Mr. KENYON. I have been asked to announce the pair of the Senator from New Hampshire [Mr. MOSES] with the Senator from Louisiana [Mr. GAY].

Mr. SMOOT. I desire to announce the absence of the Senator from Kansas [Mr. CURTIS], who is detained on official business. The roll call resulted—yeas 32, nays 4, as follows:

YEAS—32.

Ashurst	Gronna	Norris	Sterling
Ball	Harding	Page	Sutherland
Beckham	Harrison	Phelan	Townsend
Brandegee	Jones, N. Mex.	Phipps	Wadsworth
Capper	Kenyon	Polindexter	Walsh, Mass.
Chamberlain	McCumber	Sheppard	Walsh, Mont.
Cummins	McLean	Smith, Ga.	Williams
France	McNary	Spencer	Wolcott

NAYS—4.

Dial	Harris	Smith, S. C.	Smoot
------	--------	--------------	-------

NOT VOTING—59.

Bankhead	Gore	Lodge	Reed
Borah	Hale	McCormick	Robinson
Calder	Henderson	McKellar	Sherman
Colt	Hitchcock	Moses	Shields
Culberson	Johnson, Calif.	Myers	Simmons
Curtis	Johnson, S. Dak.	Nelson	Smith, Ariz.
Dillingham	Jones, Wash.	New	Smith, Md.
Edge	Kellogg	Newberry	Stanley
Elkins	Kendrick	Nugent	Swanson
Fall	Keyes	Overman	Thomas
Fernald	King	Owen	Trammell
Fletcher	Kirby	Penrose	Underwood
Frelinghuysen	Knox	Pittman	Warren
Gay	La Follette	Pomerene	Watson
Gerry	Lenroot	Ransdell	

The PRESIDING OFFICER. On the amendment of the Senator from South Dakota [Mr. STERLING] the yeas are 32 and the nays are 4. There are 5 Senators present and not voting. There is, therefore, not a quorum present. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Beckham	Gronna	Phipps	Sutherland
Brandegee	Harris	Sheppard	Townsend
Capper	Harrison	Smith, Ga.	Wadsworth
Colt	Jones, N. Mex.	Smith, Md.	Walsh, Mass.
Dial	Jones, Wash.	Smoot	Williams
Edge	Kenyon	Spencer	Wolcott
France	Norris	Sterling	

Mr. PHIPPS. I desire to announce that the Senator from Maine [Mr. HALE] and the Senator from Michigan [Mr. NEWBERRY] are detained on official business.

The PRESIDING OFFICER. Twenty-seven Senators have answered to their names. A quorum is not present. The Secretary will call the names of the absentees.

The names of the absent Senators were called, and Mr. NUGENT, Mr. OVERMAN, Mr. PAGE, Mr. PHELAN, Mr. POMERENE, and Mr. SMITH of South Carolina answered to their names when called.

Mr. CURTIS, Mr. REED, Mr. CULBERSON, Mr. CHAMBERLAIN, and Mr. KIRBY entered the Chamber and answered to their names.

The PRESIDING OFFICER. Thirty-eight Senators have answered to their names. A quorum is not present.

Mr. KENYON. Mr. President, it being now 2.30 o'clock, and being unable to secure a quorum, I move that the Ser-

geant at Arms be instructed to request the attendance of absent Senators, if that is the proper motion.

The PRESIDING OFFICER. That motion is in order.

Mr. KENYON. If not, I will move that he arrest them and bring them in.

The PRESIDING OFFICER. The Senator from Iowa moves that the Sergeant at Arms be instructed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

Mr. McNARY, Mr. FLETCHER, Mr. GORE, Mr. NELSON, and Mr. FRELINGHUYSEN entered the Chamber and answered to their names.

Mr. KIRBY. I announce the necessary absence of the senior Senator from Arkansas [Mr. ROBINSON], who is detained by illness.

Mr. HARRISON. I desire to announce that the Senator from Utah [Mr. KING] and the Senator from Tennessee [Mr. SHIELDS] are sick and detained from the Senate. This announcement may stand for the day.

Mr. McCUMBER, Mr. WALSH of Montana, Mr. OWEN, Mr. McKELLAR, and Mr. HITCHCOCK entered the Chamber and answered to their names.

The PRESIDING OFFICER. Forty-eight Senators having answered to their names, a quorum is present. The question is on the amendment of the Senator from South Dakota [Mr. STERLING], on which the yeas and nays have been ordered. The roll will be called.

The Reading Clerk proceeded to call the roll.

Mr. HARRIS (when his name was called). I have a general pair with the Senator from New York [Mr. CALDER]. I transfer that pair to the Senator from Alabama [Mr. BANKHEAD] and vote "yea."

Mr. JONES of Washington (when his name was called). I make the same announcement of my pair with the Senator from Virginia [Mr. SWANSON] that I made a short time ago, and therefore withhold my vote. I make the report so that I can be counted as present.

Mr. OVERMAN (when his name was called). I again announce my pair with the senior Senator from Wyoming [Mr. WARREN] and withhold my vote.

Mr. SMITH of Georgia (when his name was called). I transfer my pair with the senior Senator from Massachusetts [Mr. LODGE] to the senior Senator from Tennessee [Mr. SHIELDS] and vote "yea."

Mr. SMITH of Maryland (when his name was called). Making the same statement, for the same reason, as on the last vote, I withhold my vote.

Mr. WOLCOTT (when his name was called). I transfer my general pair with the senior Senator from Indiana [Mr. WATSON] to the junior Senator from Rhode Island [Mr. GERRY] and vote "yea."

The roll call was concluded.

Mr. CHAMBERLAIN. I transfer my pair with the junior Senator from Pennsylvania [Mr. KNOX] to the senior Senator from Arkansas [Mr. ROBINSON] and vote "yea."

Mr. FLETCHER. I transfer my pair with the Senator from Delaware [Mr. BALL] to the Senator from Texas [Mr. CULBERSON] and vote "yea."

Mr. HARDING (after having voted in the affirmative). I have already voted, but I note the absence of the junior Senator from Alabama [Mr. UNDERWOOD], with whom I have a general pair. I transfer that pair to the Senator from Maine [Mr. HALE] and permit my vote to stand.

Mr. KENYON. I desire to announce the pair of the Senator from New Hampshire [Mr. MOSES] and the Senator from Louisiana [Mr. GAY], and I ask that this announcement may stand for the balance of the afternoon.

Mr. STERLING. I desire to announce the pair of the Senator from Illinois [Mr. McCORMICK] and the Senator from Nevada [Mr. HENDERSON], and I ask that this announcement stand for the day.

Mr. KELLOGG. Did the Senator from North Carolina [Mr. SIMMONS] vote?

The PRESIDING OFFICER (Mr. WALSH of Massachusetts in the chair). He has not voted.

Mr. KELLOGG. I withhold my vote, being paired with that Senator. If permitted to vote, I would vote "yea."

Mr. HALE. During my absence the Senator from Ohio [Mr. HARDING] transferred his pair with the Senator from Alabama [Mr. UNDERWOOD] to me. I will transfer that pair to the Senator from Illinois [Mr. SHERMAN] and vote "yea."

Mr. FERNALD. I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. I transfer that pair to

the senior Senator from Connecticut [Mr. BRANDEGEE] and vote "yea."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK];

The Senator from New Hampshire [Mr. KEYES] with the Senator from Louisiana [Mr. RANSELL];

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS];

The Senator from West Virginia [Mr. ELKINS] with the Senator from Oklahoma [Mr. GORE]; and

The Senator from Connecticut [Mr. McLEAN] with the Senator from Montana [Mr. MYERS].

The result was announced—yeas 45, nays 4, as follows:

YEAS—45.

Ball	Hale	Nelson	Spencer
Beckham	Harding	New	Sterling
Capper	Harris	Newberry	Sutherland
Chamberlain	Harrison	Norris	Townsend
Colt	Hitchcock	Nugent	Trammell
Cummins	Jones, N. Mex.	Page	Wadsworth
Curtis	Kenyon	Phelan	Walsh, Mass.
Edge	Kirby	Philips	Walsh, Mont.
Fernald	Lenroot	Pomerene	Wolcott
Fletcher	McCumber	Sheppard	
France	McKellar	Smith, Ga.	
Gronna	McNary	Smith, S. C.	

NAYS—4.

Dia	Frelinghuysen	Reed	Smoot
-----	---------------	------	-------

NOT VOTING—46.

Ashurst	Henderson	McLean	Simmons
Bankhead	Johnson, Calif.	Moses	Smith, Ariz.
Borah	Johnson, S. Dak.	Myers	Smith, Md.
Brandegee	Jones, Wash.	Overman	Stanley
Calder	Kellogg	Owen	Swanson
Culberson	Kendrick	Penrose	Thomas
Dillingham	Keyes	Pittman	Underwood
Elkins	King	Polindexter	Warren
Fall	Knox	Ransdell	Watson
Gay	La Follette	Robinson	Williams
Gerry	Lodge	Sherman	
Gore	McCormick	Shields	

So Mr. STERLING's amendment was agreed to.

Mr. NORRIS. Mr. President, in accordance with my statement awhile ago, I now offer the amendment that I read before. I ask the Secretary to read it, as I have modified it by eliminating the clause that seemed to be objectionable to some Senators. It is a substitute for subdivision (e).

Mr. SMOOT. Mr. President, the parliamentary situation is that that subdivision now has been agreed to. I understand that this can not be offered as a substitute while the bill is in Committee of the Whole unless a reconsideration is had.

Mr. NORRIS. No, Mr. President; a reconsideration would not help it any. I admit that the parliamentary point is good if made against it. I suggested it, however, before we voted on the other amendment. There was not any way for me to get it in while the other one was pending. I agree that a point of order is good against it. I think it was understood when I mentioned it that it would be offered, and I now ask unanimous consent to offer it as a substitute for subdivision (e), which has been agreed to.

The PRESIDING OFFICER. Is there any objection to granting unanimous consent asked by the Senator from Nebraska?

Mr. STERLING. I object.

Mr. NORRIS. Then I give notice that I will offer it as a substitute when the bill gets into the Senate.

Mr. SMITH of Georgia. I do not understand that subdivision (e) has been adopted. We amended subdivision (e). The fact that we have amended subdivision (e) does not preclude the offering of a substitute for it as amended. If we had formally adopted the subdivision it would not be amendable in Committee of the Whole without a reconsideration of the vote.

Mr. KENYON. We have formally adopted a substitute for subdivision (e).

Mr. SMITH of Georgia. A substitute for the entire subdivision?

Mr. KENYON. Yes; for the entire subdivision.

Mr. SMITH of Georgia. I thought it was not a substitute for the entire subdivision.

Mr. STERLING. I offer the following amendment.

The PRESIDING OFFICER. The Secretary will read the amendment offered by the Senator from South Dakota.

The READING CLERK. On page 4, beginning with line 7, strike out subdivision (f) and insert in lieu thereof the following:

(f) Provide, as far as possible, subject to the approval of the Secretary of the Interior, for the education of resident persons, whether citizens of the United States or aliens, of the age of 21 years or more

and less than 50 years, who are illiterate or unable to speak, read, or write the English language: *Provided*, That any course of education or instruction under this subdivision or under subdivision "e" shall especially include instruction in American history, the fundamentals of civil government, and the principles of the Constitution of the United States.

Mr. STERLING. Mr. President, just a word in explanation of this proposed substitute. It has already been explained perhaps two or three times on the floor. It does not change very materially the provision of subdivision (f) as it is found in the bill itself. It is simply permissive, however, or persuasive. No State is required to adopt the compulsory education law with reference to those who are between the ages of 21 and 45. It is entirely voluntary upon the part of the State. If the State does adopt provisions satisfactory to the Secretary of the Interior for the education of persons between the ages of 21 and 45, and the State accepts by legislative act the provisions of this bill, then it will apply, and the State, because of the special courses of instruction given to these people, will be entitled to share in the benefits of the act.

It adds this to subdivision (f) as found in the original bill, namely, that instruction is required in American history, the fundamentals of civil government, and the principles of the Constitution; and considering the object and purpose of the bill, namely, the Americanization of those who are not Americanized, it is supposed that it will apply largely to the alien element in our midst. I think it is quite essential to call special attention to these subjects, the fundamentals of civil government, American history, and the principles of the Constitution, and that such persons between 21 and 45 should receive instruction in those things.

Mr. JONES of New Mexico. Mr. President, I had intended offering an amendment to subdivision (f) as it appears in the bill. I am rather inclined to favor the substitute proposed by the Senator from South Dakota; but the amendment which I had intended to offer to subdivision (f) as it appears in the bill seems to me to be likewise pertinent to the substitute which the Senator from South Dakota has just presented. It is in the first line of the Senator's proposed substitute, after the word "possible," to insert the words "and practicable." The Senator will doubtless recognize the difference in the two expressions, and so as to put it in the conjuncture there it should read "as far as possible and practicable," which, I think, would state the matter very much better.

Mr. STERLING. I agree with the Senator's suggestion, and I accept that amendment to my substitute.

The PRESIDING OFFICER. The Senator from South Dakota accepts the suggestion, and the question now comes on the adoption of the substitute as modified.

Mr. SMITH of Georgia. Mr. President, I desire to move to amend still further the proposed substitute of the Senator from South Dakota by striking out a provision therein which is also included in the original bill. I do not think that the details of this plan should be subject to the approval of the Secretary of the Interior. I believe this carries governmental interference into State educational work too far.

The bills that we have passed heretofore, through which national aid was given to State education, prescribed in themselves the line of work that was to be done in the States, the States contributing also, and a report was required to a national officer of the work, and he, when the next appropriation was made for distribution, could withhold it if he found that the funds had not been used according to the plan of the bill passed by Congress. But nowhere was the authority given to the National Government to prescribe rules and regulations for the work in the States, and nowhere was the approval of a national officer required of any details of plans adopted in the States.

I favor national contributions toward educational work, but I am entirely opposed to the National Government interfering with the detailed management of this work in the States. The detailed management heretofore has always been left to the States themselves.

I therefore move to strike from the substitute offered by the Senator from South Dakota the words "subject to the approval of the Secretary of the Interior."

The subdivision reads:

Provide, as far as possible, subject to the approval of the Secretary of the Interior, for the education of resident persons, whether citizens of the United States or aliens, of the age of 21 years or more and less than 50 years, who are illiterate or unable to speak, read, or write the English language.

I think that detailed work should be left to the State authorities.

Mr. KENYON. Mr. President, may I ask the Senator who would determine that the 200 hours per year in the study of English had been taken care of?

Mr. SMITH of Georgia. That would come to the Secretary of the Interior under subdivision (h).

Mr. KENYON. The Senator will make no objection to subdivision (h)?

Mr. SMITH of Georgia. I am not going to object to subdivision (h). I think that covers it. I think that the State authorities should report to the Secretary of the Interior each year the work done. The State authorities understand what the bill requires. If the report at the end of the year does not show that the work has been done, then no fund goes to that State that year.

Mr. KENYON. He could withhold the fund?

Mr. SMITH of Georgia. He could withhold the fund the next year. It constrains the use of the fund for the purpose defined by the bill.

Mr. KENYON. The Senator is not contending that the fund may be used by the State?

Mr. SMITH of Georgia. Not at all. The State must use the fund for the purpose intended by the bill; but after we require that the fund shall be used for the purpose intended by the bill, I think we should leave the broadest, unrestrained discretion in the State and to the State officials executing the plan. They must use it to do the work contemplated by the bill. I know when we had under consideration our bill for vocational education a great deal of hostility from State officers throughout the country developed to proposed national direction of work in the States, and we eliminated it; and we have found no trouble coming from that elimination.

Mr. NORRIS. Mr. President, I am opposed not only to the substitute but I am opposed to the particular paragraph in the bill that it proposes to amend. The more I think about it the more I feel as though the bill ought to be defeated if it has this substitute in it, or that part of the bill that the substitute seeks to amend. It seems to me it is a dangerous proposition. Let us see what it provides for.

The State shall be required—

To do what?

(f) Provide, as far as possible—

Mr. STERLING. "Or practicable," according to the amendment accepted a while ago.

Mr. NORRIS. Yes; "or practicable." It would be practicable for the Secretary of the Interior to feel that a State ought to have a compulsory law that would require everybody within the State who is illiterate or who is an alien over 21 years of age and not over 50 to attend these schools.

It seems to me that the Government of the United States is going a good way when we appropriate money out of the Federal Treasury to educate illiterates who are 50 years old, and to require the States to provide by law that that shall be done in order to get some Federal funds. There is not a State in the Union that does that, so far as I know. To leave it in indefinite language like this is a mistake. I would feel that it would be the duty of the Secretary of the Interior to require something pretty big under this, because it says "provide as far as possible and practicable."

Mr. SMOOT. Is it "and practicable" or "or practicable"?

Mr. NORRIS. I do not know.

Mr. SMOOT. Can some Senator tell me which it is?

Mr. SMITH of Georgia. It is "and practicable."

Mr. SMOOT. That is worse than ever.

Mr. NORRIS. Yes; that is worse than ever. You must go just as far as you possibly can so long as it is practicable. One Secretary of the Interior would say, "Before you can get any of this money you must require every person in your State who is illiterate or an alien, between 21 and 50 years of age, to go to school 12 hours a day 365 days in the year." That is practicable and it is possible. I admit that is extreme; but that could happen under the bill that we are proposing to pass. How far should the Secretary of the Interior go? The law says he shall go as far as possible, and he would have to go some distance to do that.

Mr. STERLING. If the Senator will permit me—

Mr. NORRIS. I yield to the Senator from South Dakota.

Mr. STERLING. While the word "or" if used as a conjunction here might make it a little more definite as to what is intended, yet I venture to say that where you use the words "possible and practicable" connected with the word "and" that the word "practicable" will modify the word "possible."

Mr. SMITH of Georgia. It must be both possible and practicable.

Mr. STERLING. Yes; it must be both possible and practicable. It would not be put in operation unless it were a practicable thing.

Mr. NORRIS. A law that would require every person between 21 and 50 years of age to go to school six months in the year is both possible and practicable; nobody can deny that. A good many people would think it was possible and practicable to go further than that; and here we propose to educate the illiterates in the State away beyond the school age.

Mr. JONES of New Mexico. Mr. President—

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from New Mexico?

Mr. NORRIS. Certainly.

Mr. JONES of New Mexico. The legislature of the State would have to determine whether it was practicable, would it not?

Mr. NORRIS. The Secretary of the Interior also would determine it.

Mr. JONES of New Mexico. But the Secretary of the Interior has no power under the bill to coerce the legislature.

Mr. NORRIS. Not at all; but he can keep that State from getting any of the money unless they comply with what he says is possible and practicable.

Mr. JONES of New Mexico. Is it not true that if the Secretary of the Interior should be capacious, he would certainly find some means for putting the law into operation? Would not the criticism of the Senator apply to any restriction which might be imposed upon the legislature or any requirement which might be imposed upon the legislature?

Mr. NORRIS. No; I do not think so. I think this goes a good deal further than the ordinary restriction that is put on. We are going to say in this bill, "Go as far as possible just so long as it is practicable." We are instructing him to do that. It is a fair presumption that a Secretary of the Interior is honest and square; we ought to go on that theory. What would he do when right at the beginning of the bill it provides that you must require as much as possible so long as it is practicable? There is a great opportunity for disagreement and still to be honest; but everybody must admit that he would have to go a long distance.

Mr. JONES of New Mexico. May I inquire of the Senator what language he would suggest to cover the point?

Mr. NORRIS. Yes. I would strike the provision out of the bill.

Mr. JONES of New Mexico. In other words, leave the matter entirely to the State without any supervision or cooperation on the part of the United States Government?

Mr. NORRIS. In other words, I would make no provision in the bill for the education of illiterate citizens who are over 21 years of age and not over 50. I am not in favor of spending public money to educate people who are past school age.

Mr. JONES of New Mexico. From that point of view I can understand just what the Senator means.

Mr. NORRIS. I hope I have made my point clear to the Senator.

Mr. JONES of New Mexico. I think the Senator has made himself quite clear from that point of view, but it is the point of view of some of the rest of us that we ought to have some provision for educating illiterates who are above 21 years of age.

Mr. NORRIS. Oh, yes. I am not complaining because the Senator or anyone else holds that point of view, but I want to submit to the Senator that, so far as I know, it is contrary to every system of education. There is a reason for teaching people over 21 years of age the English language. When we invite these people over here and they can not speak our language, we owe it as a duty to them and we owe it as a duty to ourselves to do that much for them, because they then make better citizens, and we avoid, in many cases at least, the development of anarchistic ideas, of anarchists, Bolsheviks, and so forth. But there is not a State in the Union that provides for the education at public expense of its citizenship between 21 and 50 years of age.

Mr. STERLING. I think I called the attention of the Senator from Nebraska yesterday to a provision of the statute of South Dakota upon that point. I read the provision, and I thought it was generally assented to that the provision covered the question just raised by the Senator from Nebraska. The provision is:

Provided, That any person or persons more than 21 years of age and less than 50 who do not possess the ability to read, write, and speak the English language equivalent to the requirements for the fifth grade in our State course of study for the common schools may attend during good behavior, free of charge, any of the special classes established under the provisions of this act.

The act having provided for the classes—

Mr. NORRIS. But if he will again read the classes of people who are going to be admitted the Senator will see they are not the ones we have here.

Mr. STERLING. They are exactly what we have here. They are all persons between 21 and 50 years of age, whether aliens or residents, who have the privilege of attending the special classes. Any State, by the enactment of a law such as I have quoted from the statute of South Dakota, with perhaps something additional in regard to the grades or the instruction that would be given, would comply with the Federal statute as here proposed.

Mr. NORRIS. Will the Senator let me have the statute which he quoted?

Mr. STERLING. Certainly.

Mr. NORRIS. I will read it again. This law provides for certain schools in South Dakota, and then it says:

Provided, That any person or persons more than 21 years of age and less than 50 who do not possess the ability to read, write, and speak the English language.

That is intended to apply to foreigners, of course, to aliens who can not speak the English language. The illiterates who are here can speak the English language. If they can not speak the English language, the only one they have ever known anything about, then they are deaf and dumb and can not speak at all. South Dakota provided for certain educational facilities and then provided for those people to whom I have just referred in the statute—

Who do not possess the ability to read, write, and speak the English language.

They must lack the ability to do each one of those things. They are connected by the word "and." If they could not read, that would not be sufficient; if they could not write or read, that would not be sufficient; but it must be that they can neither read, write, nor speak the English language in order to get the benefits of it. That is a different proposition from the one we have here.

I have been arguing thus far what I have believed to be the difficulty of the bill and its enforcement as a law if we pass it. I want to give another reason why, in my judgment, we ought not to have that kind of a provision in the bill, and that is that we ought not to provide by law for the appropriation of public funds out of the Federal Treasury to go into the different States of the Union where they have illiterates, grown people, and educate those people. I would like to see them educated, and I have no objection to the State doing it if it wants to.

I am not finding fault with South Dakota; I have no objection to that; but we ought not to take from the Federal Treasury, as I view it, money to educate people who are grown and gray-headed, who ought to have been educated when they were children. The right kind of public-school system is the one that educates the children. You will get into all kinds of difficulty trying to educate grown people. They can not go to school, though they want to, in a great many meritorious cases. They have to support wives or children or families. We do not require grown men to go to school, and yet you are about to pass a bill the effect of which may make that compulsory.

Mr. KENYON. Mr. President—

Mr. NORRIS. I yield to the Senator from Iowa.

Mr. KENYON. If that were true, I would agree with the Senator; but the whole face of the bill shows that the Senator is not correct. The philosophy of the bill as originally drawn is to compel aliens to attend the teaching of English for 200 hours a year up to 45, and of citizens up to 21 years of age. By the substitute offered by the Senator from South Dakota that age of aliens is reduced to 21. There is the compulsion that is part of the bill.

Subdivision (e) only extends by compulsion to 21 years of age. Then we pass to subdivision (f), which is in the nature of and intended to be a persuasive statute, that above 21 and up to 50 years of age, according to the substitute of the Senator from South Dakota, the teaching of those aliens and the teaching of those citizens shall be purely by agreement that will be worked out for night schools, or even clubs or private schools. There is absolutely no compulsion in it; and the Senator from Nebraska in arguing as to compulsion must take subdivision (e) in conjunction with subdivision (f) to get at the meaning of the whole section.

Mr. NORRIS. I think the Senator is entirely wrong. I am just as much in sympathy with the main purpose of the bill as is the Senator from Iowa.

Mr. KENYON. The Senator insists that under subdivision (f) it is compulsory education?

Mr. NORRIS. I insist that it may be, and if the Secretary of the Interior thinks it his duty I am inclined to think it will be.

Mr. KENYON. Does the Senator think it should be?

Mr. NORRIS. No; and that is the reason I want to strike it out.

Mr. KENYON. Why does the Senator think the Secretary of the Interior would try to compel it?

Mr. NORRIS. Because the bill tells him to do so. The bill says, "You must require this State to go as far as possible and practicable."

Mr. KENYON. But the proposed law considers that practical and possible as to compulsion only up to 21 years of age. You have to take the law on all sides and look at the different sections.

Mr. NORRIS. I understand that. The bill, as to subdivision (e), in my judgment, is entirely wrong.

Mr. SMOOT. Will the Senator yield to me?

Mr. NORRIS. In just a moment I will.

Subdivision (e) now stands, as the Senator from Iowa says, compulsory up to 21 years of age. That is fundamentally wrong. It never ought to be put in a Federal statute here that we should require the State to do a thing of that kind. But we follow that with subsection (f) and we say that we will require the State, as far as possible and practicable, to provide—

Mr. STERLING. Let me say—

Mr. NORRIS. Let me answer one at a time. I will yield to the Senator from South Dakota in due time. I will be much more courteous to the Senator from South Dakota than he was when he objected to my offering my substitute.

Mr. STERLING. I do not see how the Senator from Nebraska can take that as an act of discourtesy.

Mr. NORRIS. Now, the Senator is interrupting without any reason. The Senator has no right to say anything unless he is recognized by the Chair.

Mr. STERLING. When I am charged with discourtesy—

Mr. NORRIS. He insists on talking without recognition when I have the floor.

Mr. STERLING. Mr. President—

The PRESIDING OFFICER. The Senator from Nebraska has the floor. Does the Senator from Nebraska yield to the Senator from South Dakota?

Mr. NORRIS. I yield to the Senator.

Mr. STERLING. When I am charged with an act of discourtesy to any Senator in this body, then I have the right to rise and protest against language which so charges; and I do protest, because I never thought of an act of discourtesy or meant to be in the slightest degree discourteous to the Senator. I was clearly within my rights. If any Senator was expected to object to the reconsideration of subdivision (e), I had the right to do so, and I know it was expected that I would object. There had been a pretty decisive vote, though showing a lack of quorum, on the matter.

Mr. NORRIS. The Senator says that when his lack of courtesy is questioned he has a right to protest, but that right does not extend beyond the rules of the Senate. That right does not give him an opportunity to break in without recognition. I was ready to yield when he went at it in the right way. In other words, I was courteous, but I was not willing that he should make a rule of the Senate to suit himself. The rules provide how one Senator shall interrupt another. The rules do not say that when any Senator here, whether another Senator has been discourteous or not, shall have the right to get up and talk without recognition and without permission of the Senator who has the floor.

Now, I did say that I would be more courteous than he was. I never thought for a moment that the Senator would get, as the fellow said, "all het up" over that. I think I was. I do not think I was shown the right courtesy when I proposed my amendment and called attention to it beforehand, when, as a matter of fact, although the Senator from South Dakota does not know it, I was going to offer a substitute before he offered his, and was asked by the Senator in charge of the bill to wait until the Senator from South Dakota got through, and I did wait.

Mr. SMOOT. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Utah?

Mr. NORRIS. I yield.

Mr. SMOOT. I want to find out just what the understanding of the Senator from Iowa is as to section 5; and if the Senator from Nebraska will allow me to ask the Senator from Iowa a question, I should like to do so.

Section 5 reads as follows:

That no money shall be paid to a State until it shall through its legislature—

Then, in subdivisions (a), (b), (c), (d), (e), (f), (g), and (h) certain requirements are enumerated. Does the Senator from Iowa contend that if (a), (c), and (e) are complied with by the legislature money would be paid to the State to take care

of those three subdivisions? As I read it, no money shall be paid to a State until all of those subdivisions are complied with—every one of them.

Mr. KENYON. I think that is true.

Mr. SMOOT. Then I think the Senator from Nebraska is right in his position.

Mr. KENYON. Does the Senator agree with the Senator from Nebraska that subdivision (f) requires compulsory education?

Mr. SMOOT. Oh, no.

Mr. KENYON. Well, that is the only issue I am making with the Senator from Nebraska.

Mr. SMOOT. It is not compulsory upon any alien or citizen between the ages of 21 and 50 to attend the schools, but it is compulsory upon the part of the State legislature to provide that he shall have a chance to attend the school before ever a dollar of the money shall be paid.

Mr. KENYON. To provide, just as is stated there, that those who are illiterate or can not speak, read, or write the English language shall be able to secure this instruction.

Mr. SMOOT. Yes; that is as I understand it.

Mr. KENYON. And I think the original intention of that was to provide for exactly the same instruction that you would provide for under subdivision (e), instruction in English. Now, that has gone a little further than instruction in English, and provides that it shall cover history, civil government, and so forth.

Mr. SMOOT. I will speak on that subject a little later, but I wanted to understand just how the Senator from Iowa construed it.

Mr. KENYON. Oh, I thoroughly understand that there is no compulsion under subdivision (f), and if the language can be construed as compulsion there should be a proviso, which I was just trying to indite here, providing that that shall not be. It never was intended.

Mr. SMOOT. It is compulsory on the States, however, to provide the schools, any or all?

Mr. KENYON. To provide some arrangement, subject to the approval of the Secretary of the Interior, by which men between 21 and 50, as it is now, or, in mine, 45, can receive this instruction.

Mr. HARRISON and Mr. STERLING addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Nebraska yield; and if so, to whom?

Mr. NORRIS. I yield first to the Senator from Mississippi.

Mr. HARRISON. The Senator is so well posted upon this subject that I should like to ask him a question. I have an idea—I do not know where I got it; I probably read it somewhere—that the Bureau of Naturalization has spent some money in establishing schools in various parts of the country for the purpose of giving to these alien residents an opportunity to learn how to read and write. Is the Senator familiar with that?

Mr. NORRIS. No; I am not.

Mr. SMOOT. Mr. President, if the Senator will yield I will simply say that up to July 17, 1919, 2,815 community schools had been established for this very purpose.

Mr. HARRISON. Under the Bureau of Naturalization?

Mr. SMOOT. Under the Department of Labor.

Mr. HARRISON. Can the Senator from Utah tell us how many students enlisted in those schools?

Mr. SMOOT. I have the complete list here, but—

Mr. NORRIS. I have had the bulletins that show the entire number, but I have not them here.

Mr. SMOOT. At this point, if the Senator does not object, I will insert the communities in which the schools are established, and also the number of students in the schools.

Mr. NORRIS. All right; I have no objection.

Mr. SMOOT. In the city of New York there are over 15,000 students attending these schools established under the Department of Labor to-day.

Mr. HARRISON. Are the Department of Labor requesting any larger appropriations to carry on this work, or do they think they are meeting the situation fairly well?

Mr. SMOOT. I can tell the Senator the amount the Department of Labor are asking for the year ending June 30, 1921. The amount they ask for field service, 70 field employees, salaries, and traveling expenses, is \$210,000. That is for employees in the District of Columbia. For statistical work they ask for \$40,000; for general correspondence, \$50,000; for motion pictures, \$75,000; miscellaneous \$25,000; or a total of \$400,000.

Mr. HARRISON. I will ask the Senator from Utah how long they have been carrying on that work?

Mr. SMOOT. They began the work in 1914.

Mr. KENYON. That is entirely connected with the preparation of men for naturalization.

Mr. HARRISON. Then may I ask the Senator from Iowa a question, because probably he is thoroughly familiar with this

matter? I am seeking information now, because I am sure no Senator here wants to duplicate the work of two departments; and it would seem to me, as one Senator, that if that department is doing this work, and doing it efficiently, and taking care of all the demands for the education of these foreigners, it would be a useless expenditure of money to appropriate \$35,000,000 to create another department to do it.

Mr. KENYON. Why, of course it would. It would be criminal and asinine.

Mr. HARRISON. Yes.

Mr. KENYON. But that department is doing some work in the preparation of men for naturalization. It is not covering the field of this work. They have established these schools in my town and we have had citizens turn in and help, and they did considerable good; but that does not in any broad way cover this whole question. It can not do it. If it does, that is the end of it.

Mr. HARRISON. The object of this bill is to teach them how to read and write and speak the English language?

Mr. KENYON. Yes.

Mr. HARRISON. On the theory that that will make them better Americans. Now, the Senator says that what the Department of Labor has done is to prepare men for naturalization. In order to prepare them for naturalization, have they not tried to teach them how to speak and write the English language?

Mr. KENYON. They have, but they have not covered very many of them. They have done good work.

Mr. NORRIS. I yield now to the Senator from South Dakota.

Mr. STERLING. I have almost forgotten what the point was, but it was this:

The introductory words of these two subdivisions, I think, make clear the difference. In the first place, under section 5 no money shall be paid to a State until it shall, through its legislature—now go to paragraph (e)—“require,” as originally drawn, “under penalty”—that is stricken out, but “require” is the word; while, taking subdivision (f), it is not “required” at all, but the State “provides, as far as possible,” or, as it now is, “as far as possible and practicable.” That is the difference between the two. The one indicates that the State, in order that it may come under the provisions of the act, must require this course and provide laws requiring it, whereas in the other case it is to provide, as far as possible and practicable.

Mr. NORRIS. Mr. President, there is a difference between the two. Nobody has ever contended to the contrary, so far as I know; but while the word “provide” is used in one place and “require” in another, the word “provide” is modified by what follows. Provide how? Provide, as far as possible. Now, I think that is going a good way, Mr. President. You must provide, as far as possible, what? To educate illiterates who are more than 21 years old and from that on up to 50. That is what you must do, as far as possible and practicable. You are not asked to do anything not practicable; and the Senator from Iowa says it does not provide for compulsion. Why, Mr. President, that depends on the Secretary of the Interior. It may provide for compulsion, and I do not know but that the Secretary of the Interior would be justified in it. He must not have this money spent for tomfoolery. The law provides that in certain lines you shall educate people who are more than 21 years old. They may have been born right here in America and have lived here all their lives. They may be purely Americans. They are illiterates, however, and you must educate them.

Now, the law says to the Secretary of the Interior: “You must require that State to go, as far as possible and practicable, in the education of those people.” The question at once comes up, How far shall we go?

Suppose you are going to pass the law. Will it comply with the law to say, “We will have a night school in a few of the cities”? I doubt it, but I do not know. According to my judgment, you have not gone as far as possible and practicable yet, and you must make some provision for the education of those people. They must learn to read and write the English language. They must take a course in United States history, under the substitute that is pending. That is a valuable thing. Men are sometimes misunderstood when they talk about that kind of a provision. We would all be glad to have that done; but the point is that we are going to take money out of the Federal Treasury, and require the State to provide the school and duplicate the money that we put into it in order to accomplish that thing. I do not believe we ought to do it.

I am willing to appropriate Federal money to teach the foreigner who has been admitted into our country to read and write and speak the English language, but I am not willing to

take Federal funds and go into some State and teach their citizenship up to 50 years old what they ought themselves to have taught them 25 years ago. If you would confine it to teaching children of school age, it seems to me there would be something practicable about it; but these men are working on the farms, they are working in the factories, some of them have large families to support, and are sending their children to the public schools. They have to clothe them and feed them, and you are going in some way to require the farmer to go to school, also. Now, those of us who oppose it are not objecting to the farmer having an education, but we do not believe you ought to use public funds, particularly at this time, and turn them over to the State in order that that may be done. A system of education that is practical educates the children; and even though mistakes have been made by the States in not doing that in the past, it is too much to expect that we should now undertake to remedy it and educate people who are 50 years old. It seems to me that we are going too far. It seems to me we are taking a step in the use of public funds that we ought to avoid.

Mr. KENYON. Mr. President, may I ask the Senator a question? Outside of the objection that he raises as to compulsion, suppose a provision of this kind were added:

Provided further, That such course of education and instruction shall not be compulsory.

That would make that clear, and remove the objection, would it not?

Mr. NORRIS. Yes. Of course, the Senator understands that I would still be opposed to it. I am opposed to spending public money to educate this particular class of people.

Mr. KENYON. Yes; I understand, but that is a different question.

Mr. NORRIS. But that would help it very much.

Mr. KENYON. On that theory the Senator and I can not agree, but on the other we would agree, that this shall not be compulsory; and I suggest to the Senator from South Dakota that he add that to his amendment.

Mr. STERLING. If the Senator from Iowa will offer that as an amendment, I will accept the amendment.

Mr. KENYON. Mr. President—

The PRESIDING OFFICER (Mr. GRONNA in the chair). The Chair will state to the Senator from Iowa that there is an amendment to the amendment pending.

Mr. KENYON. Oh, yes; I beg the Senator's pardon.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Georgia to the amendment proposed by the Senator from South Dakota.

Mr. HARRISON. Mr. President, may we have the amendment stated again?

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. In lines 1 and 2 of the amendment it is proposed to strike out the words "subject to the approval of the Secretary of the Interior."

Mr. STERLING. Mr. President, if it were not for other provisions in the bill I should be tempted to oppose the amendment offered by the Senator from Georgia; but I think possibly under subdivision (h) the matter is carefully guarded so that the interests of the Federal Government will be protected. I think, of course, there should be some supervision of these funds expended by the Federal Government, but I think subdivision (h) will cover it, and I accept the amendment.

Mr. HARRISON. Mr. President, this is such an important matter that I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Mississippi suggests the absence of a quorum. The Secretary will call the roll.

Mr. KENYON. Mr. President, a parliamentary inquiry. Has any business been transacted since the last quorum call?

The PRESIDING OFFICER. The Chair thinks it has. The Senator from Georgia has offered an amendment, and the Chair thinks one or two other amendments have been disposed of since the roll call was made.

Mr. KENYON. Very well.

The PRESIDING OFFICER. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ball	Harris	McNary	Sheppard
Beckham	Harrison	New	Smith, Ga.
Capper	Hitchcock	Norris	Smoot
Chamberlain	Jones, Wash.	Nugent	Spencer
Colt	Kellogg	Overman	Sterling
Dial	Kenyon	Owen	Sutherland
Edge	Kirby	Page	Wadsworth
Fletcher	Lenroot	Phipps	Walsh, Mass.
Frelinghuysen	McCumber	Pomerene	
Gronna	McKellar	Reed	

Mr. McKELLAR. The Senator from California [Mr. PHELAN], the Senator from Florida [Mr. TRAMMELL], the Senator from Delaware [Mr. WOLCOTT], and the Senator from Nevada [Mr. PITTMAN] are detained on official business.

Mr. PHIPPS. I desire to state that the Senator from Kansas [Mr. CURTIS] is engaged in holding a committee hearing.

The PRESIDING OFFICER. Thirty-eight Senators have answered to their names. A quorum is not present. The Secretary will call the names of the absent Senators.

The reading clerk called the names of the absent Senators, and Mr. NELSON answered to his name when called.

The PRESIDING OFFICER. Thirty-nine Senators have answered to their names. There is not a quorum present.

Mr. KENYON. I move that the Sergeant at Arms be instructed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

Mr. TOWNSEND, Mr. MYERS, Mr. WALSH of Montana, Mr. SMITH of Maryland, Mr. CURTIS, Mr. FRANCE, Mr. SMITH of South Carolina, Mr. MCCORMICK, and Mr. JOHNSON of California entered the Chamber and answered to their names.

Mr. KIRBY. I announce the unavoidable absence of the senior Senator from Arkansas [Mr. ROBINSON] on account of illness. This announcement may stand for the day.

The PRESIDING OFFICER. Forty-eight Senators have answered to their names. A quorum is present. The question is on the amendment offered by the Senator from Georgia [Mr. SMITH].

Mr. STERLING. I accept the amendment of the Senator from Georgia to my amendment.

Mr. SMOOT. The amendment has not been agreed to.

Mr. STERLING. I understand that disposes of it, Mr. President.

The PRESIDING OFFICER. The Secretary will report the amendment.

The READING CLERK. Strike out the words "subject to the approval of the Secretary of the Interior."

Mr. STERLING. I accept that amendment.

Mr. SMOOT. Does not the Senator really think that those words should remain in? Who is going to approve it? The Secretary of the Interior has the approval.

Mr. STERLING. Mr. President, attention was called during the discussion of the amendment of the Senator from Georgia to my amendment to subdivision (h), which I think carefully guards the matter, so far as the Federal Government is concerned. Subdivision (h) provides for—

the submission annually to the Secretary of the Interior a report which shall show the (1) plan for administration and supervision, (2) courses of study, (3) methods and kind of instruction, (4) equipment, (5) qualifications of teachers, supervisors, directors of education, and other necessary administrative officers or employees, (6) plans for the preparation of teachers, supervisors, and directors of education, and (7) receipts and expenditures of money for the preceding fiscal year.

Mr. SMOOT. I call the Senator's attention to the fact that subdivision (h) simply requires the submission annually to the Secretary of the Interior of a report, as just stated by the Senator; but there is nothing at all in subdivision (h) which requires the approval of the Secretary of the Interior. This requires an annual report to be made.

Mr. SMITH of Georgia. The Senator is right. Yet I think the bill means, with this amendment, what the Senator considers it should mean. The bill leaves it to the State authorities to undertake to provide for handling this money to carry out the object of the bill. They must report to the Secretary of the Interior and show how they have done it. If they have not complied with the provisions of the bill, then he withholds the next year's appropriation from them.

Mr. SMOOT. But the bill does not provide that.

Mr. SMITH of Georgia. Oh, yes; that is in the bill. I sought to strike out the provision requiring that in the first instance they should submit their plan to him for his approval and putting the Secretary in control of the detailed plans of the States. I think that is an interference with the State management that is unnecessary.

Mr. SMOOT. As far as I am concerned, I would rather have an interference to begin with than to have it all started, and then be interfered with later by the Secretary of the Interior. I think that the State should not provide any means nor begin an organization for this class of schools until they know that the Secretary of the Interior would approve of them, and that is all there is in subdivision (f).

Mr. SMITH of Georgia. I am opposed to the Secretary having anything to do with the detailed plans of the State. I do

not think it is any of his business, and I think it is a mistake to give the power to him.

Mr. SMOOT. The Secretary will have it.

Mr. SMITH of Georgia. No; he will not.

Mr. SMOOT. If it did not meet with his approval, as the Senator said, he would withhold the appropriation for the next year; so he passes upon it, anyhow.

Mr. SMITH of Georgia. I am going to offer an amendment covering the provision in the other section, that the Secretary, when he does withhold it, shall report the facts to Congress and that Congress shall be the judge as to whether the State has complied with the requirements of the bill. The details are not controlled by the bill. It is the mere use the bill requires for the purpose. I am opposed to the Secretary of the Interior having anything to do with the details. If the States spend the money for the purpose required by the bill, then they are entitled to the money; and the State officers should have the discretion as to the plan.

Mr. SMOOT. If the Secretary has any power whatever to withhold the appropriation, then it may be withheld because of the fact that the plans are not satisfactory to him.

Mr. SMITH of Georgia. No; he can not withhold it because the plans are not satisfactory to him. He can withhold if they do not use the money for the purpose, but he can not control the way they execute that purpose.

Mr. SMOOT. Of course, I am not going to be captious about the matter, but it does seem to me, if we want to protect not only the States but the Treasury of the United States, that we ought to allow the Secretary of the Interior to approve of the plan before the State goes any further.

Mr. KENYON. I wish to call the attention of the Senator from Utah to subdivision (f) in connection with subdivision (h) of section 5. It seems to me that those two subdivisions protect the situation. I do not want the funds turned loose without any supervision whatever.

Mr. SMOOT. I will say to the Senator that I have read section 7, and that provides in general terms and gives him the power to impose under the provisions of the bill. Subdivision (f), which we are now discussing, says:

Provide, as far as possible, subject to the approval of the Secretary of the Interior, for the education of residents who are citizens of the United States of the age of 21 years or more or resident aliens—

And so forth.

What we should do is to strike out the words "subject to the approval of the Secretary of the Interior."

Mr. KENYON. The Senator from Georgia does not ask to strike out subdivision (h) and he has not asked to strike out section 7.

Mr. SMOOT. No; but subdivision (h), no matter what the States may do, simply provides for them to submit annually to the Secretary of the Interior a report which shall show the plans of administration and supervision. When those things are submitted, that is the end of it. They have complied with the requirements of subdivision (h).

Mr. KENYON. But it is not a question of what the Secretary of the Interior can do. If he is satisfied they are not carrying out the purposes of the bill, he can withhold the allotment; and, under section 10, that allotment comes every three months; so no particular harm could result. Suppose the work is going on and the Secretary of the Interior is satisfied they are not carrying out the terms of the act, then he can withhold that allotment, and in that way control the matter.

Mr. SMOOT. Then, if the Senator is right in his contention, it would be very much better for the Secretary of the Interior to approve of the plan under subdivision (f) before the State begins the organization, rather than three months afterwards.

Mr. KENYON. Does not the Senator believe, as a matter of common horse sense, as we call it out West, that when a State is doing this work it would take it up with the Secretary of the Interior and discuss it with him, just as the Senator from Utah and the Senator from Georgia and myself would discuss and decide what we were going to do? They are all working to one end.

Mr. SMOOT. That is the natural course to take, I will say to the Senator.

Mr. KENYON. Of course, that is the course that would be taken.

Mr. SMOOT. That is why the bill was written that way, because of the fact that it directs them to do the very thing that ought to be done. But suppose some State does not do it and suppose there is no action taken on the part of the State that would be in any way opposed by the Secretary of the Interior, it does seem—

Mr. KENYON. Then he could withhold the funds.

Mr. SMOOT. Not to begin with, however.

Mr. KENYON. He could do so after three months.

Mr. SMOOT. Yes; after three months, and then all the effort of the State up to that time would be lost.

Mr. KENYON. Knowing that he could do that after three months, the State certainly would be wise enough to adopt some plan to meet his approval. I agree with the Senator.

Mr. SMOOT. I simply think it is weakening the provision.

Mr. KENYON. I, too, think it is.

Mr. SMOOT. But I am not going to object.

Mr. KENYON. But there are some Senators rather offended by the language, and if we can accomplish the same thing without being offensive I should like to do it.

Mr. SMITH of Georgia. I should like to give the Senator my conception of the distribution. Take the State of Utah. Suppose they receive from the National Government, under their census showing as to the number of residents who can not speak English, \$10,000. The State authorities determine upon their own plan of spending that sum and the State appropriation of \$10,000 in instructing residents to speak English. The Secretary of the Interior has nothing to do with your plan so long as you in good faith make a plan and spend the money for that purpose.

Mr. SMOOT. He does not for the first three months.

Mr. SMITH of Georgia. And he does not afterwards under the bill. He only has the right to see that the State has spent it for the purpose, which is the purpose of giving to its residents the ability to speak English. That is the extent of his control as I would establish it in the bill. I would strike out those provisions that require the original plan to go to him and give him the right to control the State's plan of conducting education. I would leave to the State entirely the determination of the plan, so long as the State spent the money for that purpose. The plan I would leave to the State. That is the distinction I make.

Mr. SMOOT. I fully understand the position of the Senator from Georgia. I think the original part of subdivision (f) accomplishes that, for it simply provides, in the very first place, that it must be approved by the Secretary of the Interior.

Mr. SMITH of Georgia. I never would allow it. Because he does not approve that plan of instruction, he can not stop that appropriation; not at all.

Mr. SMOOT. He passes upon it.

Mr. SMITH of Georgia. He passes upon the question as to whether the State has used the money to teach English to residents, but the way of doing it or the mode of schools and the management of it should be left to the State authorities.

Mr. TOWNSEND. The Senator from Georgia speaks of the use of money for educating the foreigner.

Mr. SMITH of Georgia. To teach the foreigner or the resident to speak English.

Mr. TOWNSEND. That applies also to illiterates within the State.

Mr. SMITH of Georgia. That is another branch.

Mr. SMOOT. No; it applies to citizens of the United States.

Mr. SMITH of Georgia. There are two branches, the removal of illiteracy, which applies to all, and the teaching of English. There are two classes on account of which the appropriation is made.

If there were illiterates in Utah the State would get a certain sum for them. If there were residents who could not speak English, no matter how literate they were, the State would get some for that use. The State must use the proportion which comes to it for illiteracy to remove illiteracy. It must use the portion that comes to it for teaching English for that purpose. The way of doing it, I think, should be left to the State, but it must use it for the purpose.

As I understand the bill, it would strike out the provision that if the Secretary of the Interior does not approve of the mode of doing it he can not stop the State from taking the money because he thinks he could point out to the State a better way of teaching English than it is using. I would leave the mode of instruction to State authorities. I would not have the Federal officials interfere with the mode of instruction, but I would only leave to the Secretary of the Interior the right to say that unless the States are in good faith spending the entire sum in that instruction they are not to have the money.

Mr. TOWNSEND. Do I understand that, so far as this applies to illiterates, the States also are to have a free hand as to how they shall spend the money among those illiterates or for the purpose of educating those illiterates without any let or hindrance from the Federal Government?

Mr. SMITH of Georgia. Yes; I think they would.

Mr. STERLING. I hardly agree with the Senator from Georgia in that broad statement.

Mr. SMOOT. I certainly can not.

Mr. STERLING. Having accepted the amendment offered by the Senator from Georgia, my purpose and intent would be that the State would have the initiative in the first place in adopting a course of study or providing for schools for those illiterates, whether they be citizens or aliens. The bill further provides for reports annually to the Secretary of the Interior. If those reports disclose that any State is not following out the purpose of the bill in providing facilities for the education of those illiterates, then I think the Secretary of the Interior might direct that the money to which the State would otherwise be entitled should be withheld.

Mr. TOWNSEND. Does the Senator from South Dakota agree with the Senator from Georgia that the State should adopt the plan for spending the money which the Federal Government pays in educating illiterates, even though that plan is confined to only a portion of the people in the State?

Mr. SMITH of Georgia. I do not mean that, I will say to the Senator from Michigan. It must be in good faith spent in an effort to remove illiteracy from all of the illiterates. I do not think it would comply with the requirements of the act unless there were good faith, but the Secretary might think it should be a day school and the officers of the State might think a night school was better. The details of the plan, I think, ought to be left to the State authorities; but the money must be used in good faith to carry out the purpose of the act by removing illiteracy from all.

Mr. SMITH of South Carolina. May I ask the Senator from South Dakota, in the light of what the Senator from Utah has said, what is the meaning of section 11, which says:

That the Secretary of the Interior shall make such rules and regulations as may be necessary to carry out the purposes of this act, and may cooperate with any department or agency of the Government and request such agencies to cooperate with him and with the several States?

If I understand the meaning of that language, he is given—

Mr. SMITH of Georgia. I expect to offer an amendment later on, striking out that section.

Mr. SMITH of South Carolina. In view of section 11, and in view of the fact that no such amendment has been offered, it seems to me that the point contended for by the Senator from Utah is not very well taken.

Mr. SMITH of Georgia. I have my amendment ready to offer.

Mr. SMOOT. The position I take is directly in accord with the remainder of the bill, including section 11. The position taken by the Senator from Georgia [Mr. SMITH], if it be followed out, would require that section 11 must go out of the bill.

Mr. SMITH of South Carolina. Certainly. Section 11 clothes the Secretary with absolute power to regulate the use of the entire fund, and only makes it permissible by his will whether any of the Federal authorities or State authorities may cooperate with it. In other words, he can control it as he sees fit.

Mr. STERLING. I differ from the Senator from South Carolina on that point. If the Secretary of the Interior has anything at all to do with the administration of the act, of course, he will have to make some rules and regulations. His powers and his authority are limited by other provisions of the bill, or at least he has no other power than such as is conferred by the other provisions of the bill, but they do give him some power. He is to receive and pass upon these annual reports submitted by the State authorities in regard to what they have done in carrying out the provisions of the bill, in regard to what they have done in reference to providing facilities, and so forth, for the education of the illiterates. He can make rules and regulations appertaining to those matters, but that is all he can do.

Mr. SMITH of South Carolina. The language of section 11 could not possibly be more potential than where it provides that he shall make such rules and regulations as he may deem necessary to carry out the purpose of the act. It takes in the whole act, and the purpose and operation and administration and execution of the act are entirely subject to his rules and regulations.

Mr. STERLING. Subdivision (f), the one under consideration now, makes it all permissive. The States are simply to provide, at their option always, the facilities for the education of the illiterates.

Mr. SMOOT. But if the State does not provide, under subdivision (f), for the education of the citizens and aliens named in the subdivision, then all the balance of the requirement under the subdivision, if complied with, would not entitle it to receive for any purpose any part of the money appropriated in the bill.

Mr. STERLING. That may be.

Mr. SMOOT. That is exactly the way the bill reads. I desire to say to the Senator further in relation to section 11 that the Senator knows very well that wherever the power is given

to the Secretary of the Interior to make rules and regulations, that power is so potent that he can almost set aside the laws that are passed by Congress. How often has it been done in relation to the public lands of our Western States?

"Rules and regulations." What does that mean? Under section 11 the Secretary of the Interior would have the power to say to the State of Georgia, "Unless you educate, under subdivision (f) of the bill, 5,000 alien illiterates you can not have any portion of the money." The Secretary of the Interior can go that far, or he can make such rules as that they shall hold school only between the hours of 11 o'clock in the morning and 1 o'clock in the afternoon. He has that power under section 11.

Mr. SMITH of Georgia. I have offered an amendment to strike out section 11. This is the first one we have come to, and that is the reason why my motion was made, because the amendment was offered.

Mr. SMOOT. There seemed to be such a wide difference of opinion between the Senator from Georgia [Mr. SMITH] and the Senator from South Dakota [Mr. STERLING] in regard to the powers vested in the Secretary of the Interior under section 11, that I have taken a little time to explain how I construed section 11, and to what extent that power would virtually place in the hands of the Secretary of the Interior the direction of every plan in the States.

Mr. HARRISON. Under that section, does not the Senator think the Secretary of the Interior might prescribe what textbooks should be used in the schools?

Mr. SMOOT. Under the rules and regulations he could.

Mr. HARRISON. That authority in the various States is now given to school commissions, textbook commissions, and so forth.

Mr. SMOOT. That is true, but in all such cases the State pays the whole of the expense of carrying on the education.

Mr. HARRISON. That is true; but if they wanted to get any of this money they would have to change the rule, divest themselves of that power, and give it over to the Secretary of the Interior.

Mr. SMOOT. Yes, as far as the provisions of the bill are concerned.

Mr. KENYON. Does the Senator from Utah contend that under section 11 the Secretary of the Interior could determine what textbooks should be used in the schools?

Mr. SMOOT. I think under section 11 he could make a rule or regulation that a certain textbook should be used in the schools.

Mr. KENYON. He can make certain rules and regulations to carry out the purposes of this act. The purposes of this act are the teaching of English.

Mr. SMOOT. That is one of the purposes.

Mr. KENYON. Yes; that is the only compulsory feature of the act.

Mr. SMOOT. And the teaching of English requires a textbook, and he can make a rule that a certain textbook shall be used.

Mr. KENYON. Oh, he might make a rule that heads should be cut off, but it would not amount to anything. It is easy to raise objections of that kind for the purpose of defeating a measure.

Mr. SMOOT. I have been led into this. I never intended to speak on it at all.

Mr. KENYON. I think the Senator has a wrong lead on it.

Mr. SMOOT. That may be; but I am quite sure that if the bill passes as it is now the Senator from Utah has not a wrong lead. But what I was going to ask the Senator from South Dakota—and that is what I rose for—was about the proviso to his amendment:

Provided, That any course of education or instruction under this subdivision or under subdivision (c) shall especially include instruction in American history, the fundamentals of civil government, and the principles of the Constitution of the United States.

Does the Senator think that it is wise to put such a proviso on subdivision (f) as I have just read? Why enumerate any of the courses of instruction that are to be given?

Mr. STERLING. Mr. President, the idea I had in mind when I added that was that in doing so I was simply carrying out a little more effectually the purposes of this bill, which are the Americanization of the illiterates, and especially of the illiterate foreigners—those who can not read, write, or speak the English language. Here they are, and they understand nothing about American institutions, American government, American history. Why should they not be taught, either by textbook or by lecture, the principles and fundamentals of civil government? That is the essential thing. It is because of their lack of knowledge of these things that they are an undesirable or a dangerous ele-

ment; but if we instruct them in American history, the principles of civil government, and the principles of the Constitution of the United States we will let them know then what our institutions are.

Mr. SMOOT. There is no earthly need for this bill being before the Senate of the United States if that is not the very purpose of the bill. What I object to is simply enumerating here in the bill, as set out in this proviso, just what courses of instruction shall be given under subdivisions (e) and (f).

Mr. KENYON. That does not include all of them.

Mr. SMOOT. Oh, no; I know it does not, but the very purpose of the bill, the title of the bill, is to promote Americanization. How on earth could you ever promote it without teaching American history and the fundamentals of civil government?

Mr. KENYON. Then what possible harm does it do to say so?

Mr. SMOOT. The only reason I can see for the inclusion of these words is to call attention to the fact that this is a bill for the purpose of teaching Americanization. That is stated in the title of the bill. I will admit that this is about the only provision in the bill that has any reference to it; but there is more bad legislation passed by trying to enumerate what it is to provide than in almost any other way.

Mr. STERLING. Mr. President, if it emphasizes the fact that it is to Americanize, and that that is the purpose of the bill, it will have accomplished a purpose. You can infer from certain provisions of this bill that it is simply to teach men to speak and read and write the English language. We do not want this education confined to that. We want them instructed especially in the principles of American government, and that was the idea in putting this in the bill. It emphasizes that proposition.

Mr. KENYON. Mr. President, I want to ask the Senator from Georgia a very frank question. He is always frank with me. There is a thought arising out of the matter we are discussing, and we might as well have it right out.

Suppose a situation like this arose—that the money that went to a State under this bill should be used entirely for the whites, and nothing for the blacks?

Mr. SMITH of Georgia. I do not think we will have any of it until next year. What we want this for in my State is almost entirely to help for the other purpose.

Mr. KENYON. Yes; I know; but no one need close his eyes to the fact that there is a black cloud that is interfering with the passage of this bill.

Mr. SMITH of Georgia. In this way: If the Secretary of the Interior, for instance, could insist that whites and blacks should be educated together, of course, the State would decline the funds.

Mr. KENYON. Certainly; but if the Secretary of the Interior found that they were simply using the money for the whites, and none of it for the blacks, then could he not stop the funds?

Mr. SMITH of Georgia. He could stop the funds the next year absolutely. I do not think there is a doubt but that the bill goes to that extent.

Mr. KENYON. I thank the Senator.

Mr. HARRISON. Mr. President, in that connection, on yesterday the Senator from Tennessee [Mr. SHIELDS] offered an amendment. He is not here to-day. He is sick. It would seem to me that that amendment ought to be offered as an amendment to the Senator's amendment.

Mr. KENYON. That comes at the end of section 11.

Mr. HARRISON. Very well.

Mr. KENYON. We will discuss that when we get to it.

Mr. McKELLAR. Mr. President, has the Senator any objection to that? As he knows, in the South we have separate schools.

Mr. KENYON. There is no intention to interfere with that. I will say to the Senator that the Senator from Idaho [Mr. NUGENT] spoke to me about that amendment as affecting his State, where there are just a few colored people and they do not have separate schools. He said that that should be fixed up in some way to take care of cases of that kind, and I have no objection.

Mr. SMOOT. For instance, I will call attention to the State of Utah. We have not enough colored men in the State of Utah to have a school for them anywhere in the State. I think there are only two cities in the whole State that have any at all, and there are not nearly enough of them there to have separate schools.

Mr. McKELLAR. The amendment submitted by my colleague, the Senator from Tennessee [Mr. SHIELDS] could easily be arranged so as to take care of that situation; and it ought to be done, I think.

Mr. KENYON. Mr. President, was the amendment of the Senator from Georgia disposed of?

The VICE PRESIDENT. It was accepted by the Senator from South Dakota.

Mr. KENYON. Then I offer this amendment to the amendment offered by the Senator from South Dakota, at the close:

Provided further, That such course of education or instruction shall not be compulsory.

Mr. STERLING. I accept that amendment.

Mr. HARRISON. Mr. President, if a vote is going to come on the amendment, it is a rather important one, and I suggest the absence of a quorum.

Mr. STERLING. Mr. President, I understand that the amendment is disposed of, for the time being, by its acceptance.

Mr. HARRISON. The Senator from South Dakota accepted the amendment of the Senator from Iowa, and now the vote is to come on the amendment as amended; and I say it is a matter of importance, and we ought to have a quorum present.

Mr. KENYON. Let us dispose of this offer of the amendment.

Mr. HARRISON. I thought the Senator's amendment had been accepted.

The VICE PRESIDENT. It has been. Both the modification of the Senator from Georgia and the modification of the Senator from Iowa have been accepted by the Senator from South Dakota, and the question will be on agreeing to the amendment as modified.

Mr. KENYON. I move that not later than 5 o'clock p. m. the Senate take a recess until 12 o'clock noon to-morrow. I understand that an executive session is desired.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. KENYON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened.

RECESS.

Mr. KENYON. I move that the Senate take a recess until 12 o'clock noon to-morrow.

The motion was agreed to; and (at 4 o'clock and 40 minutes p. m.) the Senate took a recess until to-morrow, Saturday, January 24, 1920, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 23, 1920.

DIRECTOR WAR FINANCE CORPORATION.

George R. Cooksey, of the District of Columbia, to be a director of the War Finance Corporation, to fill out the unexpired term of Clifford M. Leonard, resigned.

PROVISIONAL APPOINTMENT, BY PROMOTION, IN THE ARMY.

CAVALRY ARM.

Second Lieut. Marcellus L. Stockton, jr., Cavalry, to be first lieutenant from September 21, 1919.

The above-named officer was nominated to the Senate for said promotion on December 5, 1919, and confirmed by that body on January 5, 1920, under the name Marcellus C. Stockton, jr. This is submitted for the purpose of correcting an error in the name of the nominee.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Capt. Lloyd H. Chandler to be a rear admiral in the Navy, for temporary service, from the 23d day of November, 1919.

Capt. Herman O. Stickney to be a rear admiral in the Navy, for temporary service, from the 22d day of December, 1919.

Commander Walter G. Roper to be a captain in the Navy, for temporary service, from the 19th day of November, 1919.

Commander Frederick R. Nalle to be a captain in the Navy, for temporary service, from the 23d day of November, 1919.

Lieut. Commander Herbert S. Babbitt to be a commander in the Navy, for temporary service, from the 19th day of November, 1919.

Boatswain (temporary) Charles N. Johnson to be a chief boatswain in the Navy, for temporary service, from the 1st day of September, 1919.

Capt. Philip Andrews to be a rear admiral in the Navy from the 23d day of November, 1919.

The following-named commanders to be captains in the Navy from the 1st day of July, 1919:

Frederick A. Traut,
Stephen V. Graham,

Roscoe C. Moody,
George E. Gelm,
George L. P. Stone,
Ridley McLean,
Alfred W. Hinds,
Robert W. McNeely,
Frank H. Brumby, and
Harris Laning.

The following-named commanders, additional numbers in grade, to be captains in the Navy from the 1st day of July, 1919:
Andre M. Proctor,
Frank Lyon,
William P. Scott, and
James P. Morton.

Commander Henry V. Butler to be a captain in the Navy from the 25th day of September, 1919.

Commander Walter R. Gherardi to be a captain in the Navy from the 20th day of October, 1919.

Commander James J. Raby to be a captain in the Navy from the 23d day of November, 1919.

The following-named lieutenant commanders to be commanders in the Navy from the 1st day of July, 1919:

Donald C. Bingham and
Gilbert J. Rowcliff.

Lieut. Commander Robert Henderson to be a commander in the Navy from the 6th day of August, 1919.

The following-named lieutenants to be lieutenant commanders in the Navy from the 1st day of July, 1919:

Clyde R. Robinson,
Claud A. Jones,
Claudius R. Hyatt,
Charles T. Blackburn,
Ralph R. Stewart,
Leslie E. Bratton,
Charles S. Keller,
Phillip H. Hammond,
Lucien F. Kimball,
George H. Laird,
Clarence N. Hinkamp,
Ralph C. Parker,
Emanuel A. Lofquist, and
Carl C. Krakow.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 7th day of June, 1919:

Carl E. Hoard and
William L. Wright.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 1st day of July, 1919:

Leman L. Babbitt and
James R. Webb.

Ensign Edwin S. Earnhardt to be a lieutenant (junior grade) in the Navy from the 3d day of June, 1919.

Ensign Fred W. Connor to be a lieutenant (junior grade) in the Navy from the 5th day of December, 1919.

The following-named assistant surgeons to be passed assistant surgeons in the Navy, with the rank of lieutenant, from the 30th day of July, 1919:

Louis H. Clerf,
Sterling P. Taylor, jr., and
Aaron Robinson.

Carl McC. Scott, an assistant surgeon for temporary service, to be an assistant surgeon in the Navy, with the rank of lieutenant (junior grade), from the 17th day of October, 1919.

Asst. Surg. Frank S. Hundley, United States Naval Reserve Force, to be an assistant surgeon in the Navy, with the rank of lieutenant (junior grade), from the 20th day of December, 1919.

Asst. Dental Surg. Lucian C. Williams to be a passed assistant dental surgeon in the Navy, with the rank of lieutenant, from the 4th day of February, 1916.

Asst. Dental Surg. William L. Darnall to be a passed assistant dental surgeon in the Navy, with the rank of lieutenant, from the 5th day of June, 1917.

Asst. Dental Surg. Franklin L. Morey to be a passed assistant dental surgeon in the Navy, with the rank of lieutenant, from the 5th day of June, 1917.

The following-named officers to be professors in the Navy, with the rank of captain, from the 18th day of September, 1918:

Harry E. Smith and
Daniel M. Garrison.

Prof. Herbert L. Rice to be a professor in the Navy, with the rank of commander, from the 18th day of September, 1918.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 23, 1920.

POSTMASTERS.

ARKANSAS.

Emma Z. L. L. Wheeler, Almyra.
James K. Sartain, Blytheville.
Thomas C. Wilson, Bradford.
James H. Garison, El Dorado.
Robert H. Johnson, Hatfield.
Charlotte A. Proctor, Hazen.
John W. McClenney, Heber Springs.
George M. Walter, Judsonia.
Jessie Garner, Kingsland.
Elmer A. Murphy, Lepanto.
John B. Dixon, Lincoln.
Ethel L. Nall, Lockesburg.
Fount G. Hollabaugh, Marshall.
Jesse M. Osborn, Okolona.
Grace D. Gillette, Strong.
Thomas W. Graddy, Vilonia.

DISTRICT OF COLUMBIA.

Merritt O. Chance, Washington.

INDIANA.

Pearl M. Clark, Bainbridge.
Vilas Schindler, Berne.
William T. Rowland, Birdseye.
George E. Endres, Bloomfield.
John McIntyre, Carbon.
Cora M. Cook, Centerville.
James B. James, Charlestown.
Paul H. Brown, Earlham.
Edward C. Miller, Fort Wayne.
Holland S. Chamness, Galveston.
Addison M. Love, Grandview.
Ruth P. Sutherland, Hanover.
George D. Henderson, Holton.
John M. Clingan, Idaville.
Seymour A. Thompson, Kirklintown.
Charlie E. Clark, Knightstown.
Joseph A. Misner, La Fontaine.
John Huber, Lebanon.
Henry W. Key, Marengo.
John R. Kelley, National Military Home.
Clarence E. Magers, Newport.
Roland B. Craw, Oxford.
L. G. Harley, Plymouth.
Charles Hamilton, Sharpsville.
James W. Payne, Shelburne.
Benjamin E. Hinshaw, Winchester.
William J. Richardson, Winslow.

KANSAS.

James M. Elliott, Americus.
William A. Caldwell, Arcadia.
Lewis T. Smith, Argonia.
Ida M. Beck, Army City.
Stella G. Sommers, Athol.
Nellie Waters, Bird City.
Carrie A. Bickett, Brewster.
Lewis W. Knight, Burlington.
John W. Willham, Clearwater.
Henry A. Replogle, Coldwater.
Albert B. Carney, Concordia.
Grant Taylor, Fowler.
Alonzo F. Dove, Hamilton.
Lewis S. Newell, Harveyville.
Berthold Stratmann, Holyrood.
James H. Rice, Kensington.
James W. Frazier, Lenora.
John A. Marshall, Leon.
Lee Oldham, Leoti.
Frederic C. Herdman, Le Roy.
Mildred K. Godfrey, Meade.
Joseph S. Dooty, Melvern.
William B. Gregory, Minneola.
Robert Durst, Moundridge.
Cecil L. Hinds, Mound Valley.
Phillip B. Dick, Mount Hope.
Harvey P. McFadden, Natoma.
Jeremiah M. Hopper, Ness City.
Francis J. Castle, Norcatur.
David F. Bruner, Norton.
Joseph T. Harmon, Oil Hill.
Allis D. Babcock, Osborne.

George D. Smith, Pretty Prairie.
 Thomas L. Chase, Protection.
 George A. Bruch, Randall.
 William C. Polley, Republic.
 Harry S. Bearg, Robinson.
 Josiah Crosby, St. Francis.
 Harry D. Burke, Severy.
 Henry F. Dodson, South Haven.
 William J. Dehler, Sylvan Grove.
 Jamee P. Kelley, White Cloud.

LOUISIANA.

Teakle W. Dardenne, Plaquemine.

MISSOURI.

Edward L. Potter, Advance.
 John F. Patton, Albany.
 Andrew Poe, Belle.
 Edgar W. Prentiss, Bethany.
 Nellie H. Hunter, Blairstown.
 Charles L. Canaday, Blythedale.
 William J. Jackson, Bourbon.
 Anna C. Gessler, Buckner.
 Nathan C. Hickcox, California.
 John C. Sanders, Cartersville.
 Ruth Thompson, Chula.
 Charles C. Bishop, Clarence.
 Bettie C. Hubbard, Clarkton.
 Webb Watkins, Dexter.
 George B. Sproule, Drexel.
 Lena E. Reece, Elvins.
 Harry P. Mason, Fayette.
 Amelia C. Walters, Gorin.
 William A. Hendon, Granby.
 Frank H. Caughell, Hermann.
 Joseph J. Hoeken, Hillsboro.
 Brose Dickerson, Iberia.
 John Fleurdelys, Ilasco.
 Charley W. Mulinex, La Belle.
 Charles E. Mayhall, Laddonia.
 Arthur Aull, Lamar.
 William H. Johnson, La Plata.
 Jeremiah F. Poston, Leadwood.
 Charles C. Carter, Maysville.
 Mary F. Stewart, Mendon.
 Fay Webb, Miller.
 Charles G. Le Compte, Pierce City.
 Olive De Lisle, Portageville.
 John A. Fields, Powersville.
 Booker H. Rucker, Rolla.
 Robert J. Mulford, Spickard.
 Solon McDaniel, Ulrich.
 Harry B. Adkins, Weston.

NEW YORK.

Michael L. Boyle, Glens Falls.

NORTH DAKOTA.

Augustus E. Ross, Agricultural College.
 John H. Fallon, Alexander.
 Arnt H. Bradley, Ambrose.
 James N. McGogy, Ashley.
 Mabelle C. Elgar, Bowman.
 Selmer Erfjord, Buxton.
 Fred A. Young, Courtenay.
 Edwin O. Larson, Crosby.
 Genevieve Gregor, Dawson.
 William H. Lenneville, Dickinson.
 Cecil C. Chamberlain, Enderlin.
 Dow S. Thomson, Fairdale.
 Lorenz F. Tavis, Glen Ullin.
 Orna F. Leedy, Goodrich.
 James H. McNicol, Grand Forks.
 Benjamin L. Anderson, Grenora.
 George D. Tripp, Hettinger.
 Luzerne J. Bowen, Hope.
 Redmond A. Bolton, Jamestown.
 Christian C. Reimers, Max.
 Leo E. Behan, Mohall.
 Ivah A. Miller, Nome.
 Earl W. Spencer, Oberon.
 William J. Storie, Osnabrock.
 James F. McQueen, Pembina.
 William E. Brophy, Rhame.
 Anthony J. Berger, Richardton.
 John W. Campbell, Ryder.
 Albert C. Grant, St. Thomas.
 Monrad R. Thue, Stanton.

Forrest Daniel, Sykestown.
 Edward P. Starr, Tower City.
 Freda E. Johnson, Washburn.
 Holly M. Beall, Wing.

SOUTH DAKOTA.

Harold R. Richardson, Arlington.
 Marjorie A. Hazen, Canistota.
 Thomas H. Ryan, Elk Point.
 Louis W. Carter, Highmore.
 William R. Russell, Lake Andes.
 Laura Larsen, Lesterville.
 John D. Haney, Mitchell.
 Elmer R. Hill, Newell.
 Edmund A. Barlow, Oacoma.
 Inez G. Jones, Oelrichs.
 Walter H. Fergen, Parkston.
 Elmer E. Wilson, Platte.
 Hugh H. Gardiner, Ree Heights.
 Peder A. H. Hagen, Revillo.
 George Fugate, St. Lawrence.
 Fred C. Falkenburg, Scotland.
 Paul J. Linster, Sisseton.
 Bertha G. Moen, Toronto.
 Orrin L. Starr, Tulare.
 Carlota E. Beard, Valley Springs.
 Carl O. Steen, Veblen.
 Jessie A. Gerriets, Wentworth.
 Will C. Bromwell, Wessington Springs.
 Charles G. Kuentzel, White Rock.
 Beatrice M. Dohson, Winfred.

TENNESSEE.

Mamie D. Phillips, Brighton.
 Ethelbert C. Cross, Clinton.
 James M. Scarborough, Dover.
 John M. Welch, Dukedom.
 John C. Messamore, Fountain City.
 Oliver Benton, Jackson.
 Victor H. Williams, Jacksonville.
 Alleene Pope, Jasper.
 James P. Miller, Lafollette.
 Alexander B. Miller, Limestone.
 James D. Daniel, Linden.
 Samuel D. Simpson, Loudon.
 Etna M. McCormack, Lynchburg.
 Hal P. Cotten, Rives.
 Victor C. Stafford, Sevierville.

TEXAS.

William C. O'Bryan, Groveton.

WYOMING.

William W. Sproul, Casper.
 Mertie E. Mitchell, Hanna.
 James A. Woods, Lingle.
 Walter A. Olson, Lusk.

HOUSE OF REPRESENTATIVES.

FRIDAY, January 23, 1920.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We thank Thee, our Father in heaven, that the Christian religion is coming to its own, since it is no longer a riddle to be solved but a life to be lived.

Metaphysics, speculative theology are fast passing; the churches are getting together; conventionalities, forms, ceremonies are regarded only as stepping stones.

Christ lives and is abroad in the earth—illustrated by the Red Cross, the Christian Endeavor, the Knights of Columbus, the Salvation Army, and a thousand philanthropic organizations whose object is to throw safeguards around the children, young men and young women, to save them from the hells of this life and fit them for the life revealed in the Jesus of Nazareth. Amen.

The Journal of the proceedings of yesterday was read and approved.

EFFICIENCY AND PERSONNEL OF THE NAVY AND COAST GUARD.

Mr. CAMPBELL of Kansas. Mr. Speaker, I submit a privileged report from the Committee on Rules.

The SPEAKER. The gentleman from Kansas submits a privileged report from the Committee on Rules, which will be read by the Clerk.

The Clerk read as follows:

The Committee on Rules, to which was referred H. Res. —, submit a privileged report on said resolution with the recommendation that it be adopted:

"Resolved, That immediately upon the adoption of this rule it shall be in order for the Speaker to recognize the Member in charge of H. R. 11927 to move to suspend the rules and pass the bill, being a bill 'To increase the efficiency and personnel of the Navy and Coast Guard through temporary provision of bonus or increased compensation,' the general rules of the House to the contrary notwithstanding."

Mr. BLANTON. Mr. Speaker, is the gentleman from Kansas certain that this is a privileged resolution?

Mr. CAMPBELL of Kansas. He is.

Mr. BLANTON. If he was not, I wanted to reserve a point of order on it.

Mr. CAMPBELL of Kansas. The purpose of the rule is to make it in order for the gentleman in charge of the bill referred to to move to suspend the rules and pass the bill. The bill is reported from the Committee on Naval Affairs—

Mr. BUTLER. Unanimously.

Mr. CAMPBELL of Kansas. Unanimously, as I am informed, providing increased pay for certain men in the Navy. I understand the higher officers, and, in fact, all the commissioned officers of the Navy are eliminated from the bill. It simply provides for enlisted men and petty officers.

Mr. WALSH. Will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. WALSH. Will the gentleman state why an important measure of this sort is brought in under a rule suspending the rules when there can be only 20 minutes' debate on a side instead of being brought in in the usual way?

Mr. CAMPBELL of Kansas. The purpose is to make it in order to move to suspend the rules to-day rather than to wait for 10 days, because of the emergency that exists in the Navy. Does the gentleman from North Carolina [Mr. POU] desire any time?

Mr. POU. We do not care for any time.

Mr. CAMPBELL of Kansas. If no one desires time on the rule, Mr. Speaker, I move the previous question.

Mr. CLARK of Missouri. I wish the gentleman would withhold that until I can make a parliamentary inquiry.

Mr. CAMPBELL of Kansas. I withhold the motion.

Mr. CLARK of Missouri. I should like to ask how the Speaker could refer this resolution to the Committee on Rules when the rule itself refers to it as "H. Res. blank"?

Mr. CAMPBELL of Kansas. I think I can answer the question of the gentleman from Missouri. The rule was prepared in manuscript and not printed, to meet this emergency, just as the gentleman from Missouri [Mr. CLARK] has prepared rules with a lead pencil and had them agreed to within five minutes after they were written.

Mr. CLARK of Missouri. I just wanted to know.

Mr. CAMPBELL of Kansas. This is one of that kind.

Mr. GARD. Will the gentleman yield further?

Mr. CAMPBELL of Kansas. I yield for a question.

Mr. GARD. Who is the gentleman of the Naval Affairs Committee referred to in the rule who has charge of the presentation of this bill?

Mr. CAMPBELL of Kansas. I understand the gentleman from Michigan [Mr. KELLEY] has charge of the bill.

Mr. GARD. It is the purpose under this rule to pass this bill exactly as it is, without any opportunity for amendment?

Mr. CAMPBELL of Kansas. Under the rules of the House a motion to suspend the rules admits of 40 minutes' debate. After that a vote on the bill without amendment or just as the bill is presented to the House is had.

Mr. GARNER. How much money does this take out of the Treasury?

Mr. CAMPBELL of Kansas. I yield to the gentleman from Michigan to answer that question.

Mr. KELLEY of Michigan. About \$10,000,000 annually.

Mr. GARNER. And I understand the gentleman from Kansas [Mr. CAMPBELL], on the spur of the moment, in the emergency, pencils a resolution without any number, and wants the House to consider it, and moves the previous question on a proposition to give 20 minutes' debate on a side on a bill which takes \$10,000,000 a year out of the Treasury.

Mr. CAMPBELL of Kansas. Yes.

Mr. GARNER. That looks to me like rapid-fire economy—electric economy, I might term it—20 minutes on a side to discuss a question that involves taking \$10,000,000 a year out of the Treasury.

Mr. CAMPBELL of Kansas. There have been many hours of discussion in the Committee on Naval Affairs.

Mr. BUTLER. We have had it under consideration for four months.

Mr. CAMPBELL of Kansas. The Committee on Naval Affairs have had it under consideration ever since last October, and the Secretary of the Navy has written twice, asking for much more than is provided for by the bill.

Mr. GARNER. The committee have had it since last October. There have been four months' consideration in the Committee on Naval Affairs. About how much consideration has it had by the steering committee?

Mr. CAMPBELL of Kansas. I am unable to inform the gentleman from Texas, not being a member of the steering committee.

Mr. GARNER. If it took four months in the Committee on Naval Affairs and two weeks in the steering committee, I am wondering why you allow only 20 minutes' debate on a side in the House? That is the way you legislate here. It takes a committee of the House four months, and takes the steering committee 10 days, and then you allow 20 minutes on a side, on a bill taking \$10,000,000 a year out of the Treasury.

Mr. CAMPBELL of Kansas. It takes several months to grow a plum, and just a moment to pick it. We are picking it here this morning. Mr. Speaker, I move the previous question.

The SPEAKER. The gentleman from Kansas moves the previous question.

Mr. WALSH. Mr. Chairman, I ask for a division.

The House divided; and there were—yeas 72, nays 18.

So the previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The question being taken, Mr. BLANTON and Mr. WALSH demanded a division.

The House proceeded to divide.

Mr. BLANTON. Mr. Speaker, the House having divided, I make the point of no quorum present.

The SPEAKER. The gentleman from Texas makes the point of no quorum present. There is no quorum present. The Doorkeeper will lock the doors, and the Sergeant at Arms will notify absentees. Those in favor of agreeing to the resolution will, as their names are called, vote "yea," those opposed "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 297, nays 30, not voting 101, as follows:

YEAS—297.

Ackerman	Dempsey	Hoch	Madden
Anderson	Denison	Hoe	Magee
Andrews, Md.	Dickinson, Mo.	Holland	Maher
Andrews, Nebr.	Dickinson, Iowa	Houghton	Major
Anthony	Donovan	Howard	Mann, S. C.
Ayres	Dooling	Hulings	Mapes
Bakka	Doremus	Hull, Iowa	Mead
Bacharach	Dowell	Husted	Merritt
Baer	Drane	Hutchinson	Michener
Barbour	Dunbar	Ireland	Miller
Bee	Dunn	James	Minahan, N. J.
Begg	Dyer	Johnson, Ky.	Mondell
Bell	Eagan	Johnson, S. Dak.	Montague
Benham	Echols	Jones, Pa.	Mooney
Benson	Edmonds	Kearns	Moore, Va.
Black	Elliott	Keller	Moore, Ind.
Blackmon	Ellsworth	Kelley, Mich.	Morgan
Bland, Ind.	Elston	Kelly, Pa.	Morin
Bland, Mo.	Emerson	Kendall	Mott
Boies	Esch	Kennedy, Iowa	Mudd
Brand	Fairfield	Kettner	Murphy
Briggs	Fisher	Kless	Neely
Brinson	Focht	King	Nelson, Mo.
Brooks, Ill.	Fordney	Kinkaid	Nelson, Wis.
Brooks, Pa.	Frear	Klecka	Newton, Minn.
Browne	Freeman	Knutson	Newton, Mo.
Browning	Fuller, Ill.	Kraus	Nichols, Mich.
Brumbaugh	Gallagher	Kreider	Noian
Burke	Ganly	Lampert	O'Connell
Butler	Garland	Langley	O'Connor
Byrnes, S. C.	Glynn	Lanham	Ogden
Campbell, Kans.	Goldwin, N. C.	Lankford	Oldfield
Campbell, Pa.	Goldfogle	Layton	Oliver
Cannon	Good	Lea, Calif.	Osborne
Cantrill	Goodall	Lee, Ga.	Overstreet
Carew	Goodwin, Ark.	Leibach	Padgett
Carss	Goodykoontz	Lithicum	Paige
Chindblom	Green, Iowa	Little	Park
Clark, Mo.	Greene, Mass.	Loneragan	Parker
Classon	Greene, Vt.	Longworth	Parrish
Cleary	Griest	Luce	Pell
Coady	Hadley	Lufkin	Peters
Cole	Hamilton	Luhning	Phelan
Collier	Hardy, Colo.	McArthur	Platt
Connally	Hardy, Tex.	McClintic	Porter
Costello	Harold	McDuffie	Pou
Crago	Hastings	McFadden	Purnell
Cramton	Haugen	McGlennon	Radcliffe
Crisp	Hawley	McKenzie	Rainey, Ala.
Cullen	Hays	McKiniry	Rainey, H. T.
Currie, Mich.	Heffin	McKinley	Rainey, J. W.
Dale	Hernandez	McLane	Raker
Dallinger	Hersey	McLaughlin, Mich.	Ramseyer
Darrow	Hersman	McLaughlin, Nebr.	Randall, Calif.
Davey	Hickey	MacCrate	Randall, Wis.
Davis, Minn.	Hicks	MacGregor	Reavis

Rhodes	Sinnott	Swope	Welling
Ricketts	Sisgon	Taylor, Colo.	Wheeler
Riddick	Small	Taylor, Tenn.	White, Kans.
Robinson, N. C.	Smith, Idaho	Temple	White, Me.
Robison, Kv.	Smith, Ill.	Thomas	Williams
Rodenberg	Smith, Mich.	Tillman	Wilson, Ill.
Rogers	Smithwick	Tilson	Wilson, La.
Rose	Snell	Timberlake	Wingo
Rouse	Snyder	Tincher	Winslow
Rowe	Stedman	Tinkham	Wise
Rutley	Steenerson	Valle	Wood, Ind.
Sanders, Ind.	Stephens, Miss.	Venable	Woods, Va.
Sanford	Stephens, Ohio	Vestal	Wright
Schall	Stevenson	Vinson	Yates
Sears	Strong, Kans.	Volgt	Young, N. Dak.
Sells	Strong, Pa.	Walters	Zihlman
Shreve	Summers, Wash.	Watson	
Sims	Summers, Tex.	Weaver	
Sinclair	Sweet	Webster	

NAYS—30.

Ashbrook	Dominick	Jones, Tex.	Rucker
Bland, Va.	Evans, Nev.	Kincheloe	Saunders, Va.
Blanton	Gard	Kitchin	Sherwood
Box	Garner	Leshner	Steagall
Buchanan	Griffin	Mansfield	Welty
Byrns, Tenn.	Huddleston	Mays	Young, Tex.
Caldwell	Igoe	Quinn	
Clark, Fla.	Johnson, Miss.	Rayburn	

NOT VOTING—101.

Almon	Ferris	Kennedy, R. I.	Scully
Aswell	Fess	Larsen	Siegel
Bankhead	Fields	Lazaro	Slomp
Barkley	Flood	McAndrews	Smith, N. Y.
Boomer	Foster	McCulloch	Steele
Bowers	French	McKeown	Stiness
Britten	Fuller, Mass.	McPherson	Stoll
Burdick	Gallivan	Mann, Ill.	Sullivan
Burroughs	Gandy	Martin	Tague
Candler	Garrett	Mason	Taylor, Ark.
Caraway	Gould	Monahan, Wis.	Thompson
Carter	Graham, Pa.	Moon	Towner
Casey	Graham, Ill.	Moore, Ohio	Treadway
Christopherson	Hamill	Nicholls, S. C.	Upshaw
Cooper	Harrison	Olney	Vare
Copley	Hayden	Ramsey	Walsh
Crowther	Hill	Reber	Ward
Curry, Calif.	Hudspeth	Reed, N. Y.	Watson
Davis, Tenn.	Hull, Tenn.	Reed, W. Va.	Watkins
Dent	Humphreys	Riordan	Whaley
Dewalt	Jacoway	Romjue	Wilson, Pa.
Doughton	Jefferis	Rowan	Woodyard
Dupré	Johnson, Wash.	Sabath	
Eagle	Johnston, N. Y.	Sanders, La.	
Evans, Mont.	Juhl	Sanders, N. Y.	
Evans, Nebr.	Kahn	Scott	

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. BOWERS with Mr. WHALEY.
 Mr. CHRISTOPHERSON with Mr. TAYLOR of Arkansas.
 Mr. EVANS of Nebraska with Mr. SULLIVAN.
 Mr. FESS with Mr. STEELE.
 Mr. KAHN with Mr. DENT.
 Mr. HILL with Mr. STOLL.
 Mr. JUUL with Mr. FERRIS.
 Mr. SIEGEL with Mr. ALMON.
 Mr. WOODYARD with Mr. GANDY.
 Mr. FRENCH with Mr. McKEOWN.
 Mr. KENNEDY of Rhode Island with Mr. SABATH.
 Mr. CROWTHER with Mr. McANDREWS.
 Mr. REED of West Virginia with Mr. CARTER.
 Mr. SLEMP with Mr. DEWALT.
 Mr. TOWNER with Mr. DOUGHTON.
 Mr. VOLSTEAD with Mr. ASWELL.
 Mr. BRITTEN with Mr. SANDERS of Louisiana.
 Mr. CURRY of California with Mr. OLNEY.
 Mr. GRAHAM of Pennsylvania with Mr. TAGUE.
 Mr. SCOTT with Mr. CANDLER.
 Mr. RAMSEY with Mr. DUPRE.
 Mr. WARD with Mr. HAMILL.
 Mr. BURDICK with Mr. SCULLY.
 Mr. FOSTER with Mr. RIORDAN.
 Mr. BURROUGHS with Mr. UPSHAW.
 Mr. FULLER of Massachusetts with Mr. HULL of Tennessee.
 Mr. COOPER with Mr. HUMPHREYS.
 Mr. GOULD with Mr. LARSEN.
 Mr. COPLEY with Mr. SMITH of New York.
 Mr. SANDERS of New York with Mr. BARKLEY.
 Mr. WALSH with Mr. BANKHEAD.
 Mr. GRAHAM of Illinois with Mr. LAZARO.
 Mr. JEFFERIS with Mr. MARTIN.
 Mr. MASON with Mr. CASEY.
 Mr. STINESS with Mr. EAGLE.
 Mr. VARE with Mr. CARAWAY.
 Mr. HICKEY with Mr. WATKINS.
 Mr. McCULLOCH with Mr. ROMJUE.
 Mr. JOHNSON of Washington with Mr. ROWAN.
 Mr. McPHERSON with Mr. EVANS of Montana.
 Mr. MONAHAN of Wisconsin with Mr. FIELDS.

Mr. THOMPSON with Mr. GALLIVAN.

Mr. REBER with Mr. HARRISON.

Mr. MANN of Illinois with Mr. GARRETT.

Mr. MOORE of Ohio with Mr. FLOOD.

Mr. WASON with Mr. HUDSPETH.

Mr. TREADWAY with Mr. HAYDEN.

Mr. REED of New York with Mr. WILSON of Pennsylvania.

The result of the vote was announced as above recorded.

Mr. KELLEY of Michigan. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 11927) to increase the efficiency of the personnel of the Navy and Coast Guard through the temporary provision of bonuses or increased compensation, which I send to the desk and ask to have read.

The SPEAKER. The gentleman from Michigan moves to suspend the rules and pass the bill which the Clerk will report.

The Clerk read the bill, as follows:

Be it enacted, etc., That commencing January 1, 1920, a bonus shall be paid to commissioned warrant and warrant officers of the Navy, in addition to all pay and allowances now or hereafter allowed by law, at rates per annum as follows: Commissioned warrant officers, \$480; warrant officers, \$240.

SEC. 2. That commencing January 1, 1920, the following shall be the rate of base pay for each enlisted rating: Chief petty officers with acting appointments, \$99 per month; chief petty officers with permanent appointments and mates, \$126 per month; petty officers, first class, \$84 per month; petty officers, second class, \$72 per month; petty officers, third class, \$60 per month; nonrated men, first class, \$54 per month; nonrated men, second class, \$48 per month; nonrated men, third class, \$33 per month: *Provided*, That the base pay of firemen, first class, shall be \$60 per month; firemen, second class, \$54 per month; firemen, third class, \$48 per month: *Provided further*, That the rate of base pay for each rating in the Naval Academy Band shall be as follows: Second leader, with acting appointment, \$99 per month; with permanent appointment, \$126 per month; drum major, \$84 per month; musicians, first class, \$72 per month; musicians, second class, \$60 per month: *Provided further*, That the base pay of cabin stewards and cabin cooks shall be \$84 per month; wardroom stewards and wardroom cooks, \$72 per month; steerage stewards and steerage cooks, \$72 per month; warrant officers' stewards and warrant officers' cooks, \$60 per month; mess attendants, first class, \$42 per month; mess attendants, second class, \$36 per month; mess attendants, third class, \$33 per month: *Provided further*, That the retainer pay of those members of the Fleet Naval Reserve who, pursuant to call, shall return to active duty within one month after the passage of this act and shall continue on active duty until the Navy shall have been recruited up to its permanent authorized strength, shall be computed upon the base pay they are receiving when retransferred to inactive duty, plus the additions or increases prescribed in the naval appropriation act approved August 29, 1916, for members of the Fleet Naval Reserve.

SEC. 3. That the Secretary of the Navy is authorized, in his discretion, to readjust the prevailing rates of pay of civilian professors and instructors at the United States Naval Academy: *Provided*, That said readjustment, which shall be effective from January 1, 1920, shall not involve an additional expenditure in excess of \$55,000 for the remainder of the current fiscal year.

SEC. 4. That commissioned warrant and warrant officers, petty officers, and other enlisted men of the Coast Guard shall receive the same pay and allowances and bonuses as are now or may hereafter be prescribed for corresponding grades or ratings and length of service in the Navy; and the grades and ratings of warrant officers, chief petty officers, petty officers, and other enlisted persons in the Coast Guard shall be the same as in the Navy, in so far as the duties of the Coast Guard may require, with the continuance in the Coast Guard of the grade of surfman, whose base pay shall be \$70 per month.

SEC. 5. That nothing contained in this act shall be construed as granting any back pay or allowances to any commissioned warrant or warrant officer or enlisted man whose active service shall have terminated subsequent to December 31, 1919, and prior to the passage of this act, unless such commissioned warrant or warrant officers or enlisted men shall have been recalled to active service or shall have been reenlisted.

SEC. 6. That any enlisted man or apprentice seaman who, having been honorably discharged from the naval service, shall reenlist within one year thereafter shall, on presenting his honorable discharge or on accounting in a satisfactory manner for its loss, be entitled to a gratuity of four months' pay equal in amount to that which he would have received if he had been employed in actual service during the four months immediately following his honorable discharge from the naval service, and shall receive all the benefits of continuous service: *Provided*, That this section shall become inoperative within six months after the date of the approval of this act.

SEC. 7. That the foregoing provisions of this act, except sections 3 and 4, shall remain effective until the close of the fiscal year ending June 30, 1921, unless sooner amended or repealed: *Provided*, That the rates of pay prescribed in section 2 hereof shall be the rates of pay during the current enlistment of all men in active service on the date of the passage of this act, and for those who enlist, reenlist, or extend their enlistments prior to July 1, 1921, for the term of such enlistment, reenlistment, or extended enlistment.

SEC. 8. That the appropriation "Pay of the Navy, 1920," is hereby made available for any of the expenses authorized by this act, and any part or all of the appropriation "Provisions, Navy, 1920," not required for the objects of expenditure specified in said appropriation may be transferred to the appropriation "Pay of the Navy, 1920": *Provided*, That any money remaining to the credit of the appropriation "Pay of the Navy, 1920," shall be available for supplementing, if necessary, such current appropriations of the Coast Guard as have been provided for the pay and allowances of officers and men of the Coast Guard.

SEC. 9. That nothing contained in this act shall operate to reduce the pay of any commissioned warrant or warrant officer or enlisted man of the Navy or Coast Guard: *Provided*, That the allowances and gratuities now authorized by existing law are not changed hereby, except as otherwise specified in this act.

The SPEAKER. Is a second demanded?

Mr. HUDDLESTON. Mr. Speaker, I demand a second.

Mr. KELLEY of Michigan. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. The gentleman from Michigan asks unanimous consent that a second may be considered as ordered. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Michigan is entitled to 20 minutes and the gentleman from Alabama 20 minutes.

Mr. KELLEY of Michigan. Mr. Speaker, this is a bill intended to give temporary relief to the enlisted personnel of the Navy. It provides increased pay until the 30th of June, 1921, and does not continue beyond that time. The situation in the Navy is exceedingly critical so far as the skilled men are concerned. When the armistice was signed the Navy had about 500,000 men. It was demobilized by the 1st of July last to 275,000 men, and at the present time there are about 100,000 men in the Navy. Those 100,000 men who are now in the Navy are nearly all young boys, 18, 19 years of age, and the skilled mechanics and officers of the enlisted personnel necessary to man these complicated ships and take care of the machinery, the boilers, and the engines, have nearly all left the service. At the present time, while we have an enlisted force of about 100,000 men, the shortage in these higher ratings is so great that we have not really a force of more than 45,000 men for the ships and for the shore stations. As a result of this shortage of skilled men the great majority of ships of the Navy to-day are tied up. We took about half of the fleet to the Pacific, but as soon as it arrived there the term of enlistment of thousands of men expired and they were discharged under legislation previously passed by Congress. Therefore, the greater portion of the Navy in the Pacific to-day is tied up at the navy yard at Mare Island and the navy yard at Bremerton for lack of men to man the ships in these higher ratings. The Navy Department has scoured the training stations for men who have had any degree of mechanical training. If a boy has been in school for two or three months, or perhaps a less time, at one of these training stations, where ordinarily he would remain a year pursuing his mechanical course, the Navy Department has taken him out and sent him to sea.

But even then the majority of the ships of the Navy are not really in commission to-day. This is a most dangerous situation so far as the ships and the men are concerned. Gentlemen will appreciate what a complicated thing a warship is. It has cost the Government sometimes as high as \$20,000,000 and has on board fifteen or sixteen hundred men, and the greatest of danger would result in having inexperienced boys 18 or 19 years of age attending the engines and boilers. An explosion might occur at any time with great loss of property and loss of life. Damage already has resulted on some of the smaller ships from this cause. The reason for this shortage of skilled men is apparent. The man who has been in the Navy for a few years is an ideal man for the merchant ships. During the last two or three years we have increased the merchant shipping of this country to something like 10,000,000 tons, and the merchant service is constantly reaching out to get skilled mechanics, to get these enginemen and firemen and others who have been trained in the Navy, and is offering twice as much pay as they are receiving in the Navy. So that the difficulties of keeping them in the service are very great. Not only that, but the general wage throughout the country, as we all know, is so much higher than it was formerly that these skilled mechanics are sought for in factories all over the country. We are paying on the average \$6.40 a day in the navy yards for skilled mechanics while a man in the Navy occupying a position of great importance on board ship has been getting \$83 a month. If he went out of the service and went into the navy yard he could draw as high as \$2,000 a year. These two causes taken together have resulted in taking the skilled men out of the Navy, so that to-day we are short of these skilled ratings something in the neighborhood of forty or forty-five thousand, based upon the normal strength of the Navy of 143,000 men.

In this bill we have provided for increases in pay on an average of about 33½ per cent over and above what they are now getting. We do not increase the pay of the apprentice seamen. The boys who are going into the service now are young boys. They have to spend five or six months in school before they are of any service to the Government, and we have not increased their initial pay. We did not think it was necessary to do so. Above the grade of apprentice seaman we increase the pay from 33½ per cent to 50 per cent.

Mr. NEWTON of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. NEWTON of Minnesota. I heartily agree with the idea of the gentleman and his committee in raising the pay of those men in the bill, but I notice that there is no provision whatever

made for an increase in the pay of the commissioned officers of the Navy whose pay has not been raised since the year 1908, if I am correctly informed.

Mr. KELLEY of Michigan. That is true, and I will say to the gentleman that the Secretary of the Navy did recommend an increase in the pay of the commissioned officers, and in my own judgment the officers of the Navy, especially those in the grades of commander, lieutenant commander, and lieutenant, are in dire need in many cases of relief; but there would be controversy over increasing the pay of the officers. This legislation which we have proposed is so vital, so absolutely necessary, and so pressing at the moment that we decided to report a bill carrying an increase for the men without the officers and at another time take up the question the gentleman referred to. I am fully in accord with the sentiment he has expressed.

Mr. NEWTON of Minnesota. Then the effect of this bill will be, if it becomes a law, that some of the warrant officers will draw more money than some of the commissioned officers.

Mr. KELLEY of Michigan. I think that is true even now, and is not at all improper. The commissioned warrant officer is a man who has gone up through all the grades of the Navy and gained his rating by his experience on board ship. That necessarily makes him, when he reaches the highest grade that he can reach, a man pretty well along in years. He is a man 40 or 45 years of age, and, of course, he has a family to support on shore. He gets the same pay as an ensign, who graduates from the academy, but who has not, generally speaking, any family, and whose expenses are very light. If we increase the pay of the man of mature years, the skilled man, who could easily secure a position as master of a merchant ship, the man with a family, I think we are doing what we ought to do. Understand me, I have no controversy over the question of whether the commissioned officer should have his salary increased under present conditions, because I think he should have more pay, especially in the lower ratings, but I feel that his necessities are not so great as the skilled mechanic, the man 40 or 45 years of age, who has a family on shore to take care of. That is why we put in the bill the provision for a bonus for the commissioned warrant officer and the warrant officer and did not include the ensign or lieutenant.

Mr. NEWTON of Minnesota. I sincerely hope this committee will before very long report out a bill that will attempt to do justice to the commissioned officers of the Navy.

Mr. CALDWELL. Mr. Speaker, will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. CALDWELL. Did not the gentleman's committee report a bill providing for an increase of salary of the commissioned personnel of the Navy?

Mr. KELLEY of Michigan. No. The Naval Committee reached an agreement on a bill of that kind, but it never was reported.

Mr. CALDWELL. Did not the gentleman's committee appoint a subcommittee to confer with a subcommittee of the Military Committee on the matter of reporting a bill to increase the pay of the commissioned personnel of both the Army and the Navy?

Mr. KELLEY of Michigan. We did have some negotiations with the Military Committee on the question of the pay of officers, but we never really formulated any plans or came to any understanding.

Mr. OLIVER. Mr. Speaker, the committee, however, some two months ago did agree on a bill providing for an increase of the officers' pay.

Mr. KELLEY of Michigan. Yes; but we never reported it.

Mr. OLIVER. My recollection is that the committee directed it to be reported.

Mr. KELLEY of Michigan. The gentleman asked if we had not reported the bill, and I said we had not.

Mr. OLIVER. There was opposition, however, on the part of some who would provide a rule for the reporting out of the bill, and for that reason we could not get consideration.

Mr. KELLEY of Michigan. Further, the bill which the Committee on Naval Affairs agreed upon did not carry any provisions for the personnel of the Army.

I think, perhaps, gentlemen, I had best reserve the balance of my time.

Mr. LINTHICUM. I wanted to ask the gentleman two questions. The first one is: If there is this scarcity of these men in the Navy, why would it not be a good idea to take these graduates from the Naval Academy, and men who have been serving in the Coast Guard for many years, and put them in the Navy to help?

Mr. KELLEY of Michigan. The Coast Guard is in as bad a condition as the Navy. That service has no skilled men to spare. There is a shortage of a thousand men in the Coast Guard out of a total of 5,000.

Mr. LINTHICUM. There are guardsmen there that have been serving for 25 years.

Mr. KELLEY of Michigan. They are officers. This bill deals with the enlisted force only.

Mr. LINTHICUM. I want to ask the gentleman if it is the intention of your committee to take care of the commissioned officers of the Navy? Is there any immediate prospect of doing that?

Mr. KELLEY of Michigan. The officers?

Mr. LINTHICUM. The commissioned officers?

Mr. KELLEY of Michigan. Nothing has been done so far.

Mr. LINTHICUM. Is there any prospect of anything being done?

Mr. KELLEY of Michigan. I will say to the gentleman that, in my opinion and in the opinion of the members of the committee, some relief ought to be given to at least the lower grades of the commissioned personnel of the Navy. I can not, of course, forecast the future action of the committee.

Mr. LINTHICUM. The gentleman heard a lot about the steering committee in connection with the rivers and harbors bill. Are they injecting anything in it to hold this back?

Mr. KELLEY of Michigan. I am not a member of the steering committee, and I wish the gentleman would direct his query to somebody who is a member of that committee.

Mr. KITCHIN. Will the gentleman yield?

Mr. KELLEY of Michigan. I yield to the gentleman from North Carolina.

Mr. KITCHIN. I would like to ask the gentleman how much of an increase of appropriation is involved in this bill?

Mr. KELLEY of Michigan. The increase in appropriation is about \$10,000,000; but we will save, I will say to the gentleman from North Carolina, if these men come back, as we expect they will, \$100 per man—clothing allowance and much of the expense of recruiting. This saving will greatly reduce the amount I have stated.

Mr. KITCHIN. Now, if the increase which is asked applied to officers, how much would it have been?

Mr. KELLEY of Michigan. It would be the small end, I will say to the gentleman. The officers' increase would not amount to as much as the increase for the men. I will say, further, that this bill does not carry any appropriation.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. KELLEY of Michigan. This bill does not carry any appropriation and none will be needed, because in the last naval bill we appropriated for an average of 190,000 men for this entire fiscal year; whereas, as a matter of fact, there are now only 100,000 men in the Navy, and the average will fall considerably below what we expected. So there should be a large sum of money turned back into the Treasury after the increase provided in this bill has been taken care of.

Mr. MILLER. Will the gentleman yield?

Mr. KELLEY of Michigan. I will.

Mr. MILLER. I see that the letter of the Secretary says that those in similar positions in the Shipping Board get two and one-half times the pay of the Navy?

Mr. KELLEY of Michigan. That is true.

Mr. MILLER. And the increase is about 33½ per cent?

Mr. KELLEY of Michigan. That is true.

Mr. MILLER. Have you any assurance that you will get the desired men with that increase, even including the bonuses?

Mr. KELLEY of Michigan. I think this will do the business. Of course, nobody can tell, but the men themselves seem to think that considering the superior service of the Navy, the better care that they have in the Navy, the love of the service, and all that, and the retiring benefits, if they stay in the Navy long enough, that, everything taken together, this increase would induce the men that are in now to stay, and will get back those who have left during the last six or eight months.

Mr. MILLER. It is the judgment of the committee that the men will come back?

Mr. KELLEY of Michigan. It is the judgment of the committee and the judgment of the Bureau of Navigation.

Mr. KINCHELOE. Will the gentleman yield?

Mr. KELLEY of Michigan. I yield to the gentleman from Kentucky.

Mr. KINCHELOE. What is the purpose of section 6? What is the purpose of giving them four months' back pay contingent on the fact that they reenlist? Is that for the purpose of getting back these experienced fellows that have gone out?

Mr. KELLEY of Michigan. I will say to the gentleman from Kentucky this, that when a man's term in the Navy expires, after he has served for four years, he is given a four months' leave, practically, and if he reenlists within the four months he gets four months' pay. You can see why that is so. A

young man goes into the Navy; he is away from home for four years, and if you did not give him a chance to go home for three or four months once in four years you would probably lose that man altogether. So the Government has been giving him four months' pay provided he reenlisted within that time. But we extend the time in this bill, so that if he comes back in six months or eight months he will get the four months' pay that he would have gotten if he had come back within the four months.

Mr. KINCHELOE. Suppose that he reenlists in a different rank than that which he had when he was discharged?

Mr. KELLEY of Michigan. He would not do that. He would get four months' pay in the rank in which he served when he went out.

Mr. Speaker, if there are no other questions, I will reserve the balance of my time.

The SPEAKER pro tempore. The gentleman reserves one minute.

The gentleman from Alabama [Mr. HUDDLESTON] is recognized for 20 minutes.

Mr. HUDDLESTON. Mr. Chairman, I ask to be advised when I have used 10 minutes.

My objections to this bill are threefold. In two grounds of my opposition I am pretty strenuous. In the middle ground I am rather mild.

I object, first, to taking up a matter of this importance in this way—that is, by motion to suspend the rules, and under House rules no amendment to the bill can be offered and only 40 minutes of debate can be had. It is a bad way in which to take up legislation. It affords no opportunity for amendment, and no fair opportunity for discussion or understanding. It is quite obvious to me, and must be to the House as a whole, that this bill is brought forward in this particular way for the very purpose of preventing an amendment to the bill.

The rule proposed by the committee might just as well have made the bill in order and provided for taking it up regularly. Had that been done, the bill would have been subject to amendment. But evidently those who are responsible for bringing up the bill in this fashion do not want it amended and do not want the House to really understand what they are doing. So much for that.

My second ground for objection is mild. It is based chiefly upon my opposition to a close adherence to the scriptural text that—

For he that hath, to him shall be given; and to him that hath not, from him shall be taken even that which he hath.

I do not approve of that principle in legislation or anywhere else. This bill gives the biggest part of the increase to the men who are already getting the most. It gives the increase to the highest ratings, and to the lowest of all it gives nothing at all.

The gentleman from Michigan [Mr. KELLEY] speaks of those who enlist as being "boys," and hence entitled to little pay. Well, nobody but a boy can be roped in on any such pay as is given for the lowest rating.

Mr. STEPHENS of Ohio. Will the gentleman yield?

Mr. HUDDLESTON. Excuse me, I would be glad to yield, but I have not the time. That is the reason they are not getting anybody but boys, and the department has been taking mere boys 16 and 17 years of age, "trundle-bed trash," out of my district against the will of their parents, and without their authority and consent until patience has ceased to be a virtue. That is an actual fact. We ought to have a Navy that is a men's Navy, and leave these boys at home to get their education and receive the training that they ought to have until they are 18 or 19 years old, instead of roping them in under what is in some cases almost false pretenses. We ought to increase the men's wages so that a grown man can afford to join the Navy. This bill does not do it, and it ought not to pass for that reason.

But there is another thing that is more serious than this. I see here in the bill that an additional bonus is to be paid to the men who come back into the Navy, having been heretofore discharged. A bonus of four months' pay is to be given them, a bonus for men to come back into the Navy, and yet no additional bonus is given to the boys who served during the war, when there was real need for men, a need much more acute than now. They must be content with the \$60 which they have already received.

The very first thing I did following the armistice, at the session of Congress which began on December 1, 1918, was to introduce a bill to give to each honorably discharged soldier and sailor \$180, or six months' pay. That bill was not allowed to come before the House. All the boys got was a miserly \$60, not enough to buy a civilian outfit. Those now responsible for

legislation in the House do not intend that any such measure shall come before this House. They do not purpose to give the House a chance to vote on the question whether we will give to these boys who served their country in the war a respectable bonus. They have decided for this House, in the committee room and in the secret caucus, that no recognition shall be given by way of bonus to the men who served their country in the Great War.

I object to that and am compelled to protest against it, though my voice be never so feeble. Had we given to these boys, at the time this matter was first brought forward, a reasonable and respectable bonus, the matter would have been ended forever; but we whittled them down to \$60, a mere pittance, and turned them loose; and now we will have the matter coming up and up again, and agitation going on all over the country, with propositions to pay bonuses of extravagant amounts.

But that there should be some additional bonus allowed, I challenge any Member of the House to deny. No man dare take the position before the country that these men who served on the front line and upon the tossing billows should not have some recognition beyond the little pay which they received. Nobody dares do that. Yet there are those who dare in the privacy of the committee room and in secret caucus to refuse to allow the House of Representatives, which is authorized to speak for the people of the United States, an opportunity to consider or to take any action upon that question.

I leave it to those who are responsible for such action to answer first to their consciences. We sat in our comfortable seats; these boys went overseas and risked their lives. Then I ask these men, when they have answered to their consciences, to answer their constituency and the people of America at large, why, oh why, they are so niggardly with the men who actually went to the front? They have been willing, practically all of them, to vote to take care of war contractors, to make good any business losses that have been sustained. They have been tender with business. They have been, oh, never so regardful of property rights. But what respect have they shown for human rights—what respect to the boys who made their sacrifices in France?

I want to say now, for myself, that no measure for the relief of these men will be presented on the floor of this House to which I will not be willing to give adherence. I would be willing, if necessary, to pay out of my own pocket not merely my per capita share but according to my means and ability to pay whatever may be found necessary.

I would think I got off light—I, who stayed at home in a safe place and slept in bed and had good food and enjoyed the love and society of my family and friends—I should think that I got off light if I gave my whole fortune for the benefit of those boys who went away, who risked their lives, who suffered every pang, and who, back at home now, get, many of them, small comfort and very small recognition.

Oh, we were glad to get them to go. "Brave, brave boys." And big business men shouted and said, "Go on to the front! You are heroes!" But when the boys came back they did little shouting. "The shouting and the tumult had died away." There were few to meet them at the station. They stole in quietly, as though they had been on a pleasure trip. When they meet them on the street many of those who lauded them on as "heroes" are afraid to look the discharged soldier in the eye for fear he will strike them for a job or perhaps ask for a cigarette.

Gentlemen, answer to your consciences, you who have charge of the responsibilities of this House and for its action. You must answer to the country for what may be done upon this matter.

Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. PELL].

The SPEAKER. The gentleman from New York is recognized for five minutes.

Mr. PELL. Mr. Speaker, I expect to vote for this bill on the ground that almost any bill of this sort is better than none.

But it seems to me that a great mistake is being made in not including the commissioned officers, men who have been trained, whose training and education have cost the Government really great sums of money, who are in a position to-day, every man of them, to go out and draw a salary of two or three or four times as much as they are getting to-day from the United States.

These men are held in their places to-day by the traditions of the Navy and their own genuine patriotism. That loyalty which we have always had from our naval officers has been a thing in which every American should take a proper pride, and we have a right here to ask those men for loyalty. But we have not got a right to ask them for martyrdom. We have not

got the right to take men upon whom we impose tremendous responsibilities and place them in a position where it is quite impossible for them to live. An officer must live like a gentleman. He must spend a certain sum of money on appearances. He must keep his family properly. And it is to-day absolutely impossible for any officer to do so on his salary, and we are losing by resignation thousands of men every day who may some day be needed. Those men with their spirit, their training, and their organization can not easily be replaced. The time will come when this so-called economy will be shown to be the most terrific extravagance.

Mr. Speaker, I yield back the remainder of my time.

Mr. HUDDLESTON. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. BLANTON].

The SPEAKER. The gentleman from Texas is recognized for five minutes. The Chair discovers, on examination, that a gentleman to whom time is yielded can not yield to others except by unanimous consent.

Mr. HUDDLESTON. How much time have I consumed, Mr. Speaker?

The SPEAKER. The gentleman used eight minutes and the gentleman from New York [Mr. PELL] used two minutes.

Mr. HUDDLESTON. Before yielding to the gentleman from Texas [Mr. BLANTON], I will first yield three minutes to the gentleman from North Carolina [Mr. KITCHIN].

The SPEAKER. The gentleman from North Carolina is recognized for three minutes.

Mr. KITCHIN. Mr. Speaker, I am in favor of this bill. I understand that the reason why we had this peculiar rule a few moments ago is that, if you did not shut off debate and amendments, it was feared that some gentleman would offer an amendment to increase the appropriation in this bill—to put in higher salaries for the officers—and therefore they desired to pass this bill under a suspension of the rules, which would prevent all amendments.

If that was the purpose, it was very wise. I want to ask the gentleman from Wyoming [Mr. MONDELL] a question. I do not see him here now. Or I want to ask the committee this question: Is this really a sincere stand or position which the Republicans in the House are going to take, or is this bill cutting down the appropriations below the requests of the Navy Department some several million dollars simply a pretext in order to give the distinguished gentleman from Wyoming justification to issue his little weekly or semimonthly statements as to the great economy which this House is effecting? [Laughter.]

I am going to help you pass this bill. If I were on the committee I would have voted for it just as it is. But if we pass it and send it to the Senate, and then the Senate puts on five or six or ten million dollars additional for the increase of salaries of the commissioned officers and others in the Navy Department, are you going to stand by this bill and make the Senate back, or is it understood by the steering committee of the House, or by the distinguished gentleman from Wyoming, that when the Senate puts on an increased appropriation he will brag about what the House has done, and when it comes to dealing with this increased appropriation put on by the Senate, he will say, "We could not help it, we had to yield to the Senate; the Senate made us do it?"

What are you going to do about it? I am going to stand with you, and when the bill comes back from the Senate, if the Senate puts on an increased appropriation, if the House conferees will stand out I will help you make a fight to make the Senate for one time in its life back down. I believe that is the sentiment of the House. I am sure the naval conferees of this House will fight it out with them. I remember in the last session they fought it out and made the Senate yield on practically every proposition. Let us do it this time. [Applause.]

Mr. HUDDLESTON. I yield five minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Speaker, under the Constitution of the United States, as construed by Congress, such a bill as this must originate in the House of Representatives. It could not come from the Senate. It must be passed here and start on its road to final passage in the House in order to become a law, thereby assuming that the membership of this House would have the right finally to perfect and frame its terms and provisions, and I submit that under the rule brought in here, under the procedure by which this legislation must be passed, requiring the House under whip and spur to pass this bill without change, without even the dotting of an "i" or the crossing of a "t," the committee, in justice to the membership of the House, should have amended the context of this bill. It should have amended the enacting clause of this bill where it says:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled—

Because it is the creation of neither the House of Representatives, nor of the Congress of the United States. It should have stricken out "House of Representatives" and inserted in lieu thereof:

Be it enacted by the secret, silent, invisible steering committee of the Republican Party, whose names do not appear in the directory, whose names do not appear in the archives of Congress, who are unknown to the great majority of Congressmen, Republicans as well as Democrats, but yet who bring legislation in here already prepared to take \$10,000,000 out of the Treasury annually in the face of a possible \$3,000,000,000 deficit, with no possible chance to change it in the slightest particular.

That committee says to the Members of the House of Representatives, "We have no confidence in you to pass proper legislation. We have no confidence in the 400 other Representatives of the people drawing \$7,500 a year each from the Public Treasury. We do not know what you might do with this legislation. We are not even going to give you a chance to discuss it for more than 20 minutes on the floor of the House." That is why I find myself for one time in hearty accord with the gentleman from Alabama [Mr. HUDDLESTON] in the position just taken by him on this bill.

I am going to vote against this bill. Very likely increases should be granted, and I would vote for proper increases if we were permitted to discuss and frame this bill, but I do not believe this is the proper way to pass legislation. If it is, this all-powerful steering committee should bring in a bill here changing even the Constitution and the law under a special rule always available out of the hip pocket of the distinguished gentleman from Kansas [Mr. CAMPBELL], saying, "We will dispense with the balance of the membership of Congress and let all their salaries go to the steering committee, because we get better laws in that way. We can expect better legislation from the steering committee."

Mr. MOORE of Virginia. Who are the steering committee?

Mr. BLANTON. I am not surprised that the gentleman from Virginia asks that, because half of our majority colleagues on the Republican side of the House do not even know who they are, and were I to disclose their identity, and thus dispel some of the awful mystery surrounding them, such leaders might lose some of the power of their bull-whip; but we know what they are and why they are when we have legislation like this crammed down the throats of willing Members of the House of Representatives.

Mr. McKENZIE. Will the gentleman yield?

Mr. BLANTON. I wish I had more time, but I can not yield. There are some things to which I want to call attention. If there was a desire on the part of the gentleman from Wyoming [Mr. MONDELL] and his invisible committee to accomplish real economies, why does he not have the Naval Affairs Committee look into a proper reorganization of our Navy? Does the distinguished gentleman from Wyoming know that if he were to go out to a battleship to-day in one of our harbors and advise the petty officer meeting him that he must see the captain of that ship, how long it would take him to see him? Does he know how many splendid young men of our country would have to act as flunky go-betweens for the petty officers and lower-commissioned officers and high-commissioned officers and run hither and thither back and forth before he could get to the captain of that ship? Our naval officers have entirely too many white American servants in uniform waiting upon them, whose salaries are paid by the Government, and whose services are wholly unnecessary. They should be dispensed with and this money saved.

The SPEAKER. The time of the gentleman has expired.

By unanimous consent, Mr. BLANTON was given leave to revise and extend his remarks in the RECORD.

Mr. PADGETT. The gentleman from Michigan yielded to me his one minute.

The SPEAKER. The gentleman from Tennessee is recognized for one minute.

Mr. PADGETT. Mr. Speaker and gentlemen of the House, this bill was unanimously reported by the Committee on Naval Affairs. It should be passed, and I hope it will be passed by the unanimous vote of the House, because it is desperately needed. The committee were in favor of including the commissioned officers from ensign to captain, and had authorized a report of such a bill, but we could not get consideration of that bill, and this is all we could get consideration for, and we are taking the best that we can get. It should be adopted, because for lack of it the Navy is in a desperate condition as to its enlisted personnel. If an opportunity ever offers for increasing the pay of the officers during these abnormal times, I shall support it, and I hope this House will agree to it.

Mr. MONTAGUE. Will the gentleman yield for a question?

Mr. PADGETT. I shall be glad to yield if I have the time.

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. MONDELL. Mr. Speaker, in view of the fact that my name has been mentioned several times in connection with this legislation, I ask unanimous consent that I have two minutes in which to address the House.

The SPEAKER. The gentleman from Wyoming asks unanimous consent to address the House for two minutes. Is there objection?

Mr. BLANTON. Mr. Speaker, I think the gentleman should have gotten that permission from the Rules Committee, and I object. [Laughter.]

The SPEAKER. Objection is made. The question is on suspending the rules and passing the bill.

The question being taken, Mr. BLANTON demanded a division.

Mr. KELLEY of Michigan. Mr. Speaker, I ask for the yeas and nays.

Mr. BLANTON. In order to help out the membership, I make the point of no quorum present.

The SPEAKER. The gentleman makes the point of no quorum present. Evidently there is no quorum present. The Sergeant at Arms will notify absent Members. The Doorkeeper will close the doors. As many as are in favor of suspending the rules and passing the bill will, when their names are called, vote "yea," those opposed "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 314, nays 9, not voting 105, as follows:

YEAS—314.

Ackerman	Ellsworth	Kreider	Porter
Andrews, Md.	Elston	Lampert	Pou
Andrews, Nebr.	Emerson	Langley	Purnell
Ashbrook	Esch	Lanham	Radcliffe
Ayres	Evans, Mont.	Lankford	Rainey, Ala.
Bakka	Evans, Nev.	Layton	Rainey, H. T.
Baer	Fairfield	Lee, Calif.	Rainey, J. W.
Barbour	Fisher	Lee, Ga.	Raker
Barkley	Flood	Lehibach	Ramsey
Bee	Focht	Leshner	Ramseyer
Begg	Fordney	Linthicum	Randall, Calif.
Bell	Frear	Little	Randall, Wis.
Benham	Freeman	Loneragan	Rayburn
Benson	French	Longworth	Reavis
Black	Fuller, Ill.	Luce	Rhodes
Bland, Ind.	Gallagher	Lufkin	Ricketts
Bland, Mo.	Gandy	Luhling	Riddick
Bland, Va.	Ganly	McAndrews	Riordan
Boies	Gard	McArthur	Robinson, N. C.
Box	Garland	McDuffie	Robson, Ky.
Brand	Garner	McFadden	Rodenberg
Briggs	Glynn	McGlennon	Rogers
Brinson	Godwin, N. C.	McKenzie	Rose
Brooks, Pa.	Goldfogle	McKinley	Rouse
Browne	Goodwin, Ark.	McKinley	Rowe
Browning	Green, Iowa	McLane	Rubey
Brumbaugh	Greene, Mass.	McLaughlin, Mich.	Rucker
Buchanan	Griest	McLaughlin, Nebr.	Sanders, Ind.
Burke	Griffin	MacCrate	Sanford
Butler	Hadley	MacGregor	Schall
Byrnes, S. C.	Hardy, Colo.	Madden	Sears
Byrns, Tenn.	Hardy, Tex.	Magee	Sells
Campbell, Kans.	Harrelld	Maher	Sherwood
Campbell, Pa.	Hastings	Major	Shreve
Cannon	Haugen	Mansfield	Sims
Cantrill	Hawley	Mapes	Sinclair
Carew	Hays	Mays	Sinnot
Cars	Heflin	Mead	Small
Chindblom	Hernandez	Merritt	Smith, Idaho
Clark, Mo.	Hersey	Michener	Smith, Ill.
Classon	Hersman	Miller	Smith, Mich.
Cleary	Hickey	Minahan, N. J.	Smithwick
Coady	Hicks	Mondell	Snell
Cole	Hoch	Montague	Snyder
Collier	Hoey	Mooney	Stedman
Connally	Holland	Moore, Ohio	Steenerson
Costello	Houghton	Moore, Va.	Stephens, Ohio
Crago	Howard	Moore, Ind.	Stevenson
Cramton	Hullings	Morgan	Strong, Kans.
Crisp	Hull, Iowa	Morin	Strong, Pa.
Cullen	Husted	Mott	Summers, Wash.
Currie, Mich.	Hutchinson	Mudd	Summers, Tex.
Curry, Calif.	Igoe	Murphy	Sweet
Dale	Ireland	Neely	Swope
Dallinger	James	Nelson, Mo.	Taylor, Ark.
Darrow	Johnson, Ky.	Nelson, Wis.	Taylor, Colo.
Davey	Johnson, Miss.	Newton, Minn.	Taylor, Tenn.
Davis, Minn.	Johnson, S. Dak.	Newton, Mo.	Thomas
Davis, Tenn.	Jones, Pa.	Nichols, Mich.	Tillman
Dempsey	Jones, Tex.	Nolan	Tilson
Denison	Juil	O'Connell	Timberlake
Dickinson, Mo.	Kearns	O'Connor	Tincher
Dickinson, Iowa	Keller	Ogden	Tinkham
Donovan	Kelley, Mich.	Oldfield	Vale
Dooling	Kelly, Pa.	Osborne	Venable
Doremus	Kendall	Overstreet	Vestal
Doughton	Kennedy, Iowa	Padgett	Vinson
Dowell	Kettner	Paige	Voigt
Dunbar	Kincheloe	Park	Volstead
Dunn	King	Parker	Walsh
Dyer	Kinkaid	Parrish	Walters
Eagan	Kitchin	Pell	Watson
Echols	Klecza	Peters	Weaver
Edmonds	Knutson	Phelan	Webster
Elliott	Kraus	Platt	Welty

Wheeler	Wilson, Ill.	Woods, Va.	Young, Tex.
White, Kans.	Wilson, La.	Wright	Zihlman
White, Me.	Wingo	Yates	
Williams	Wood, Ind.	Young, N. Dak.	

NAYS—9.

Blanton	Good	Huddleston	Sisson
Clark, Fla.	Goodykoontz	Quin	Steagall
Dominick			

NOT VOTING—105.

Almon	Evans, Nebr.	Kiess	Siegel
Anderson	Ferris	Larsen	Slemp
Anthony	Fess	Lazaro	Smith, N. Y.
Aswell	Fields	McClintic	Steele
Bacharach	Foster	McCulloch	Stephens, Miss.
Bankhead	Fuller, Mass.	McKeown	Stiness
Blackmon	Gallivan	McPherson	Stoll
Bocher	Garrett	Mann, Ill.	Sullivan
Bowers	Goodall	Mann, S. C.	Tague
Britten	Gould	Martin	Temple
Brooks, Ill.	Graham, Pa.	Mason	Thompson
Burdick	Graham, Ill.	Monahan, Wis.	Towner
Burroughs	Greene, Vt.	Moon	Treadway
Caldwell	Hamill	Nichols, S. C.	Uphaw
Candler	Hamilton	Oliver	Vare
Caraway	Harrison	Olney	Ward
Carter	Hayden	Reber	Wason
Casey	Hill	Reed, N. Y.	Watkins
Christopherson	Hudspeth	Reed, W. Va.	Welling
Cooper	Hull, Tenn.	Romjue	Whaley
Copley	Humphreys	Rowan	Wilson, Pa.
Crowther	Jacoway	Sabath	Winslow
Dent	Jefferis	Sanders, La.	Wise
Dewalt	Johnson, Wash.	Sanders, N. Y.	Woodyard
Drane	Johnston, N. Y.	Saunders, Va.	
Dupré	Kahn	Scott	
Eagle	Kennedy, R. I.	Scully	

So, two-thirds voting in the affirmative, the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Until further notice:

Mr. ANDERSON with Mr. WISE.

Mr. ANTHONY with Mr. WATKINS.

Mr. BACHARACH with Mr. STEPHENS of Mississippi.

Mr. BROOKS of Illinois with Mr. OLNEY.

Mr. CHRISTOPHERSON with Mr. BANKHEAD.

Mr. CROWTHER with Mr. BLACKMON.

Mr. FOSTER with Mr. BOOHER.

Mr. GOODALL with Mr. CALDWELL.

Mr. GREENE of Vermont with Mr. DRANE.

Mr. HAMILTON with Mr. DUPRÉ.

Mr. KIESS with Mr. FERRIS.

Mr. MCPHERSON with Mr. JACOWAY.

Mr. SANDERS of New York with Mr. JOHNSTON of New York.

Mr. TEMPLE with Mr. MCKEOWN.

Mr. TILSON with Mr. MOON.

Mr. TOWNER with Mr. MANN of South Carolina.

Mr. WINSLOW with Mr. OLIVER.

Mr. WOODYARD with Mr. MCCLINTIC.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. PORTER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 11960) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1921. Pending that, I ask the gentleman from Virginia how long he desires for general debate?

Mr. FLOOD. Mr. Speaker, I have had demands over here for two hours' time. I suggest two hours on a side.

Mr. PORTER. That will be satisfactory to us. Mr. Speaker, I ask unanimous consent that general debate be limited to four hours, one-half to be controlled by the gentleman from Virginia and one-half by myself.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that general debate on this bill be limited to four hours, one-half to be controlled by himself and one-half by the gentleman from Virginia [Mr. Flood]. Is there objection?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Pennsylvania that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the Diplomatic and Consular appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the Diplomatic and Consular appropriation bill, with Mr. MADDEN in the chair.

The Clerk reported the title of the bill.

Mr. PORTER. Mr. Chairman, the pending appropriation bill provides for the expenditure of \$8,843,037.91 for the payment of

expenses of our foreign intercourse during the fiscal year ending June 30, 1921. It is \$1,122,073.76 less than the appropriation for the current fiscal year and \$3,070,125 less than the estimates submitted by the department. If there be added to this amount the deficiency bills so far passed for this service, amounting to \$844,140.28, there will be a total of \$1,966,214.04 less expended during the fiscal year ending June 30, 1921, in case there is no deficiency legislation.

Your committee realizes fully the necessity of rigid economy and has cut the department estimates to a point where further reduction would cripple and weaken the service. It is confident that our foreign intercourse can be carried on according to a high standard of efficiency with the amounts carried in the items of the bill, notwithstanding the fact that the war has placed us in a position of economic potency quite equal to that which the Central Powers hoped to obtain by conquest. It is a fact that the pending bill is larger than the prewar appropriation law of 1915, but this Great War has worked such extraordinary changes, both economic and political, in our relations with the countries of the world that the prewar policy in relation to foreign intercourse must be partially, if not wholly, abandoned. The greater portion of the world now finds its financial condition seriously impaired, its productive forces greatly weakened, and its inhabitants unsettled, dissatisfied, and in many instances in open rebellion against constituted authority; in fact, the economic, industrial, social, and political poise of the world has been upset and deranged. Our present machinery of government for dealing with foreign relations is in need of complete reorganization. It was effective in the past. It is not calculated to meet the intricate and perplexing problems that now confront us. It will be necessary in the reorganization to bring the economic and political questions together, as the latter now depends on the former, so that political and economic information may be considered jointly and used on the basis of the results attained by binding them together.

In the prewar period we were a debtor nation; to-day we are the largest creditor nation in the world. We hold the bonds or other evidences of indebtedness of a number of the recent belligerents in the enormous sum of \$10,000,000,000, upon which the interest is in default. We have claims in the process of adjustment against the recent belligerents which arose during our period of neutrality of over \$1,000,000,000, exclusive of the claims of our citizens against the Mexican Government. There are two ways for the adjustment of these claims, either through diplomatic channels or the appointment of commissions. The former is unquestionably preferable, as the history of commissions is largely a history of exasperating delays.

We have to-day almost a complete monopoly of the gold supply of the world. We furnish the world's industries with a large share of raw materials, and our exports of manufactured goods have also increased enormously. The total value of imports for the year of 1914 was \$1,789,276,001; the total value of imports for the first 11 months of 1919 was \$3,523,772,899. The total value of exports for the year of 1914 was \$2,113,624,050; the total value of exports for the first 11 months of 1919 was \$7,242,045,798. The merchant marine of the United States since 1914 has increased 62.79 per cent. In 1914 the total American gross tonnage was 7,928,688; in 1919 it had increased to 12,907,300, to which should be added 690 Government-owned ships delivered from the close of the fiscal year of 1919 to December 31, 1919, totaling 2,151,852 gross tons, or a grand total of 15,059,152 gross tons.

Inasmuch as American-owned vessels plying between American ports do not need the assistance of our consulates the tonnage of these vessels should be deducted from the estimate above given. Many of them are engaged a part of the time in plying between American ports and at other times in the overseas trade. It is therefore impossible to secure with any degree of accuracy the exact amount of this reduction. I submit herewith an illuminating chart showing the percentage of exports and imports carried in American bottoms since 1789. It is interesting to note that the minimum of 9 per cent was reached in 1910, and that as a result of the war activities it has now increased to 26.4 per cent, and when vessels now under construction by the United States Shipping Board are completed and delivered will reach 40 per cent.

This enormous increase in tonnage of ships flying the American flag which carry the products of our factories and farms to the markets of the world, and these increased exports and imports, add very materially to the duties of our consuls, as a ship seldom stops at a port without receiving assistance of our representative, and they are persuasive evidence against cutting the estimates for consulates more than we have done. The fact that the fees collected at the consulates makes the service

largely self-supporting is in itself sufficient justification for the appropriation.

Before the war there was no difficulty about the rate of exchange; to-day the problem is perplexing the ablest financiers of the world. The adjustment of this is undoubtedly more important to us than any other nation, with the possible exception of Great Britain; otherwise we will not be assured of payment for the merchandise which we sell to the people of foreign countries, and our efforts to take advantage of our present opportunities to increase our foreign trade will be wholly thwarted.

U.S. SHIPPING IN FOREIGN TRADE

PERCENTAGE BY VALUE CARRIED IN AMERICAN BOTTOMS

PERCENTAGE BY VALUE CARRIED IN FOREIGN BOTTOMS

VALUE IN MILLIONS EXPORTS & IMPORTS	CARRIED IN AMERICAN BOTTOMS	CARRIED IN FOREIGN BOTTOMS
1789	34%	76%
1800 \$159	89%	11%
1810 \$151	92%	8%
1816 \$231	70%	30%
1820 \$142	50%	50%
1830 \$144	50%	50%
1840 \$239	65%	35%
1850 \$330	72%	28%
1860 \$762	66%	34%
1870 \$991	38%	62%
1880 \$1483	17%	83%
1890 \$1573	13%	87%
1900 \$2089	8.3%	91.7%
1910 \$2983	9%	91%
1914 \$3785	9.7%	90.3%
1919 \$8850	26.9%	73.1%

In the adjustment of this rate of exchange it may be necessary for us to give assistance to nations which are in financial distress, but I do not think we are justified in making them any more loans. I am perfectly willing to help these nations to walk, but I am not willing to have the already overburdened American taxpayer walk for them. We must impress upon Europe by this stern policy that more work and less bolshevism is the only remedy for her economic and political ills.

War is still going on in Russia and Siberia; Turkey and Mexico are completely disorganized and in a state of ferment and rebellion; and the relations between this country and the Central Powers have not so far been restored.

In the prewar period the peoples of the world were happy, contented, and reasonably prosperous; to-day there is a spirit of unrest that threatens the very foundations of organized society. The United States, with her beneficent government and great

wealth, is the only safe anchor for civilization, and if we fail to discharge the plain duty which destiny, perhaps, has placed upon us, civilization may perish from the earth.

Before the war Congress gave little, if any, attention to the ascertainment of political and economic conditions in foreign countries. During the war we spent large sums of money for these purposes and were richly rewarded for our efforts. The appropriation for the emergency fund for the current fiscal year is \$700,000. A number of the members of this committee felt that it should remain in this amount, but it was finally agreed to reduce it to the sum of \$400,000. It is important, in fact more important, for this Government to keep itself fully informed of the changes now taking place almost daily in the political and economic conditions of many European and Asiatic countries than it was during the period of actual warfare.

The estates of American citizens in China are administered in the United States Court for China. They do not pay an inheritance tax to the Federal Government. Your committee felt it advisable to extend this tax to these estates so that the Government would receive the revenue without regard to the place of death.

These are the considerations which moved your committee to abandon, in part at least, the prewar appropriations and to maintain with material reductions, however, the war appropriations for our foreign intercourse. It may be that the ratification of the treaty of peace will aid in the solution of these great problems, but your committee does not think it prudent or wise to appropriate upon any such assumption. [Applause.]

Mr. BLANTON. Mr. Chairman, should not the gentleman reserve his time?

Mr. PORTER. Mr. Chairman, I reserve the remainder of my time and yield 10 minutes to the gentleman from Nebraska [Mr. REAVIS].

Mr. REAVIS. Mr. Chairman and gentlemen of the committee, I want to distinctly disavow in what I have to say any disposition or desire to attack the Federal reserve banking system as a system. I have always approved the legislation which created that organization. I have always looked upon it as one of the constructive measures of this administration whose contributions to the country in the time of war are almost beyond computation. I have no complaint or quarrel with the system as a system, but I have become convinced in my own mind that many of the agents and employees of the regional banks have started on a policy of oppression toward State banks that can work only disaster. For some time I have been receiving letters from various portions of my own State criticizing the officers and agents of the regional bank at Kansas City in their attempts to control the affairs of the Nebraska State banks. These letters have been more or less infrequent until the last six weeks, since which time scarcely a day has gone by that some one has not written me, some State banker, some officer in some State bank, in respect to the unconscionable conduct of some of the agents and employees of these regional banks. Inasmuch as I am not fully informed I have no desire or intention to discuss the merits of the controversy between them. The matter that I want to bring to the attention of the House is the attempted coercion of the State banks to compel them to adopt a system that the State bankers are not willing to adopt. These State banks are the creation of State legislation. They are answerable only to State law and State authority. There is nothing in the Federal law creating the reserve system that grants any power to the regional banks or the Federal Reserve Board over the conduct of State banks. Yet I have received letters showing that the officers and agents of the regional banks in Kansas City, because some State banker in a small town would not be obedient to their commands, because some bank would not conduct its business in harmony with the ideas of the officers of the Federal reserve bank, have gathered together as high as \$41,000 in checks on the bank in a small town and have sent employees to that bank in an automobile and demanded cash on the checks in legal tender. That is an oppression that is likely to close a bank. It amounts almost to a conspiracy to wreck a bank, and it is about time somebody should be prosecuted for that sort of conduct.

Mr. GARNER. Mr. Chairman, will the gentleman yield?

Mr. REAVIS. Yes.

Mr. GARNER. Can not the Federal Reserve Board here correct that evil?

Mr. REAVIS. I have written twice to the Federal Reserve Board. I wonder if I may be permitted to read a letter which reached me yesterday?

Mr. GARNER. What reply did the gentleman get from the Federal Reserve Board?

Mr. REAVIS. Just the ordinary stereotype reply that the matter would be looked into.

Mr. GARNER. And how long is it since the gentleman wrote?

Mr. REAVIS. Two or three weeks.

Mr. GARNER. This same complaint is coming to other Members of Congress.

Mr. REAVIS. It is almost universal among the Members of Congress. It is coming from all sections.

Mr. GARNER. With reference to the oppression being brought against State banks by these regional banks.

Mr. REAVIS. I want to read a letter which I received yesterday from one of the most prominent bankers of a small State bank in my State. I know nothing of the facts which he relates here, but I have known the gentleman for many years, and any statement of facts he makes I would be willing to vouch for. I shall omit the name of the banker and the institution with which he is connected, because I do not want him to be submitted to further persecution, and also some little personal reference in the letter. Otherwise the letter is as follows:

JANUARY 20, 1920.

Hon. FRANK C. REAVIS,
House of Representatives, Washington, D. C.

DEAR SIR: We want to call your attention to the arbitrary methods employed by the Federal reserve banks in trying to force all banks to conform to their methods of doing business.

There was a meeting of the State Bankers' Association in Omaha this week, which we attended, and we find that all the bankers of the State are having the same experience. In one town—Pierce, Nebr.—this State, we understand that representatives of the Federal banks saved up enough checks until they had an aggregate of \$41,000, and then went up in an automobile and demanded the cash for these checks.

We had a representative of the Federal reserve bank in our own bank within the last two months who told us that he would bring us checks here and in large amounts and he would demand legal tender and he would show us whether we would refuse to do what they wanted us to or not. He tried to browbeat us and said that he would make it hot for us, that they would make us do as they wish. If we employed this method of doing business with our fellow bankers and save up checks and go to a bank and try to force them to pay us the cash for a lot of checks that we had saved up on them, we surely would be liable to the law under a conspiracy act of trying to break the bank, and that is in effect what the Federal reserve bank is trying to do with the State banks who do not conform to their way of doing business.

I am even informed that at Pierce, Nebr., they have a man on the ground trying to start a national bank in order to force the other banks to terms. This is a great situation in free America, where we can have institutions supported by the Federal Government that is going into private business and trying to enforce methods onto other banks by such tactics. We ask that you take this matter up with the proper authorities and call the attention of Congress to the matter.

We are free-born American citizens and object to such methods in any line of the Government or in anyone. It is beginning to be that the Government seems to want to take charge of all our affairs in every way, and we think it is time to call a halt in the matter, not only in this matter of the Federal Reserve Board but in a good many other boards that have been created when there is no necessity of them.

We want the strictest laws against combinations and trusts and the like, and then let the laws of supply and demand take their course. Too many dictators in every line of business being created.

The town of Pierce, Nebr., is a small town, and the bank in the town necessarily must be small.

The conduct referred to with respect to that bank would swamp any small State bank in the Nation; and it was evidently done for that purpose, to coerce and oppress these men until from fear of the consequences they would become obedient to the organization which under the law has no control over them at all.

Mr. STEVENSON. Mr. Chairman, will the gentleman yield?

Mr. REAVIS. I am afraid that I will not have the time.

Mr. STEVENSON. I just want to ask what is the thing that they want them to do? Is not this the situation? Is it not where banks are charging exchange for remitting their own checks that the desire arises, and whenever they will not remit for their own checks without charging exchange the banks who get them for collection are sending them through and making them pay them over the counter?

Mr. REAVIS. I do not know the controversy out of which this arises, but I do know this, that the Federal Reserve System created under the national law has no right legally or morally to coerce and force by oppression a State institution to do their will. I will say further that if such reprehensible conduct is continued I shall do my best to see that legislation ample to protect State institutions is enacted.

Mr. STEVENSON. Now, Mr. Chairman, I desire an answer from the gentleman. He says they are trying to make them do something. What is the thing they are trying to make them do? Are they trying to get them to remit their own checks, or what is it?

Mr. REAVIS. It is not indicated, but I think the controversy arises from the charging of exchange on checks. I am equally certain the time has come to indicate to the Federal Reserve System that Congress, having in its heart the instincts of fair play, is determined that these State institutions shall not be unnecessarily oppressed by the great Federal banking institutions.

Mr. DENISON. Is not what they are trying to do to compel the State banks to come in under the Federal Reserve System?

Mr. REAVIS. There is no question about it. It is an effort to coerce State banks into a great centralized banking institution under Federal control.

Mr. DENISON. I think if the gentleman will take time to investigate he will find it originates in Washington.

Mr. REAVIS. I am not going to make the charge. I have mentally drawn deductions, but they are merely deductions, and I do not wish to reflect on anybody. But I wish to express my opposition to things of this kind.

Within the last few weeks there has been a special meeting of all the State bankers of my State, a special convention, to consider this very proposition. They have been compelled to employ counsel to defend their right to do business under a State law, and to protect their institutions from oppression and the coercion of the Federal reserve banks.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. REAVIS. I ask unanimous consent to extend my remarks by the publication of the letter referred to and the resolutions adopted at a special meeting of all the State bankers of Nebraska, in which are cited the acts of oppression, and from which they desire protection.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

The following are the resolutions referred to:

Resolutions unanimously adopted at a special meeting of State bankers of Nebraska held at Omaha January 14, 1920.

1. Whereas the Federal Reserve Bank of Kansas City and its branch at Omaha have served notice upon the State banks of Nebraska, which are nonmembers of the Federal Reserve System, that on January 15 all towns in Nebraska will be listed as par points, irrespective of the consent of the banks in such matter; and

2. Whereas the said Federal reserve bank, through its branch and representatives, has threatened in the event of refusal of the State banks to render the service of remitting for checks without a reasonable compensation to present such items for payment through the express companies or messengers and demand payment thereof in cash at par, and in event of noncompliance with such demand to protest such items; and

3. Whereas the said Federal reserve bank, through its branch and representatives, has held for an unreasonable time (in defiance of well-established usage and custom and in defiance of a decision of the Nebraska Supreme Court that a bank check must be promptly presented) checks on Nebraska State banks until an important aggregate has been accumulated and has then demanded payment in cash through messenger or express company, for the very evident purpose of intimidating and embarrassing payee banks; has in case of refusal to comply with this demand threatened and is now actually attempting to organize national banks in towns already amply supplied with banks whose patrons make no complaint of existing rules and practices; has protested checks which were not legally subject to protest; and in numerous other and undignified ways is attempting to discredit the standing of nonmember banks with their patrons.

4. Therefore be it resolved, That in our judgment such demands and methods are unwarranted by law, a distinct departure from well-established customs, and an unjustifiable invasion of the legal rights of State institutions by the Federal Reserve Board, which has no jurisdiction whatever over State banks.

5. Be it further resolved, That we pledge ourselves to resist in every legitimate way such demands and practices and endeavor to preserve for our institutions the rights guaranteed under the laws of our State.

6. Be it further resolved, That the committee of three appointed by the chairman of this meeting be given full authority to act for the nonmember State banks of Nebraska to carry out their wishes, to employ counsel, to make assessments against said banks to defray any expenses incurred, and to take whatever other action they may deem necessary to secure the relief sought, and to act in cooperation with similar committees in other States.

7. Be it further resolved, That we respectfully request the cooperation of our city correspondents in this matter, and will look with disfavor upon said correspondent banks if they assume an attitude to the contrary.

8. Be it further resolved, That we recommend that all nonmember banks which have agreed to par items for the Federal reserve bank be, and are hereby, requested to recall such agreement promptly.

9. Be it further resolved, That our Representatives in Congress be requested to demand an investigation of the acts and practices of the Federal Reserve Board and their representatives in relation to this matter.

10. Be it further resolved, That a copy of these resolutions be mailed to every State bank in Nebraska, the Federal reserve bank, our Representatives in Congress, and the official representatives of State banks in all other States.

11. Be it further resolved, That our thanks be extended to President H. K. Frantz and Secretary William B. Hughes, of the Nebraska Bankers' Association, for making the arrangements for this meeting and to the Omaha banks for the entertainment provided.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. PAIGE having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 411. An act to confer jurisdiction of the Court of Claims to certify certain findings of fact, and for other purposes.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

The committee resumed its session.

Mr. CONNALLY. Mr. Chairman and gentlemen of the committee, on the 3d of March, 1919, in the closing hours of the

Sixty-fifth Congress, the House of Representatives passed a resolution earnestly requesting the peace conference when passing upon the rights of various peoples to give consideration to the claims of Ireland. At a later date the Senate of the United States adopted a similar resolution. During the consideration of this matter in the House some of you may recall that I opposed its passage and sought to point out that the only probable result of that measure would be to offend a friendly power, and that it would in no wise cause the peace conference to assume jurisdiction of the question of the Irish republic. Of course, all of us now know that that result has come to pass. We now know—

Mr. FLOOD. I would like to know the gentleman's authority for saying the passage of that resolution offended a friendly power. I read a statement from Mr. Lloyd-George in the House of Commons, in which he said that resolution was inoffensive to Great Britain. I do not know, therefore, what friendly power the gentleman is referring to.

Mr. CONNALLY. I will say to the gentleman from Virginia that those of us who tried to keep up through the press with the manner in which our action on the resolution was received in Great Britain could not have failed to note in press dispatches that it was not received very graciously by the British press. I do not recall what Mr. Lloyd-George said and I do not take issue with the gentleman from Virginia as to what he said. I perhaps used language a moment ago that was not chosen with due discrimination if I said that it had offended. I should have, perhaps, said that I sought to point out that it was calculated to offend a great power.

But all of us do now know that the passage of that resolution did not have the effect of causing the peace conference to take up the question of Irish independence. One of the results of that action on our part, however, was to give undue encouragement to certain elements within this country who prey upon the credulity and enthusiasm of those groups of our citizens of Irish blood. The peace conference not having given consideration to the Irish question and Great Britain not having immediately recognized the independence of Ireland, we are now confronted in this House with a bill introduced by the gentleman from Illinois [Mr. MASON], now pending before the Republican Committee on Foreign Affairs, in which it is proposed that Congress shall appropriate money to defray the expenses of a minister and a corps of consuls to the Irish republic.

Mr. BROWNE. Will the gentleman yield for a question?

Mr. CONNALLY. I will be glad to do so.

Mr. BROWNE. I wondered why the gentleman termed the Committee on Foreign Affairs as a Republican committee?

Mr. CONNALLY. You are in charge. You are in the majority.

Mr. BROWNE. You are a member of it, are you not?

Mr. CONNALLY. To be sure I am, but I do not control the committee. If the gentleman from Wisconsin seeks to disavow the fact that the majority is in control in this House and in the Committee on Foreign Affairs, as it is in every other committee of this House, I shall be quite willing to put that disavowal into truth after the next election.

Mr. BROWNE. The practice has been for Republican committees to be nonpartisan, but I see that the gentleman thinks that a committee is either Republican or Democratic from his partisan view.

Mr. CONNALLY. The gentleman from Wisconsin is unduly sensitive about this matter. I want to say to him and to others that, while I am frank to confess that I can not, except with great difficulty, believe that a Republican Congress is seriously considering the question of the passage of the bill, yet I am convinced that it is being sought by the majority party now, as it has been sought in the past, to try to make those portions of our citizenship which are of Irish blood believe that the Republican Party is in favor of the bill. A very unusual proposition is here presented. We are urged to send an ambassador to the republic of Ireland, and by so doing to recognize the putative Irish republic as a functioning and operating government. We are solemnly asked to officially challenge the authority and Government of Great Britain in so far as they apply to the island of Ireland. It is proposed that the Congress of the United States, speaking for the American people, shall say to Great Britain that the United States no longer recognizes Ireland as a part of the British dominions, but that henceforth our Government shall transact its diplomatic intercourse affecting matters pertaining to Ireland not through the ambassador at London but through a diplomatic representative at Dublin.

This remarkable proposal is seriously suggested just as we are laying aside our arms so recently employed in the greatest conflict that ever shook the foundations of ordered society or taxed all the resources and energies of republican governments

and in which our own efforts were linked with those of Great Britain. I can not believe that the Congress will, and I know that the people of the United States do not, look with approval upon this unfortunate and mischievous measure.

The real temper and purpose of the more prominent protagonists of this bill may be ascertained somewhat from the attitude of Judge Cohalan of New York, who appeared before the Committee on Foreign Affairs in the hearings shortly before Christmas. While I said a moment ago that I could not seriously believe that the Republican House would undertake to pass this measure, yet the very fact that for two days the committee held open hearings on the bill has given weight to the suspicion that the Republican Party is seeking to create the impression among the Irish citizenship of this country that it sympathizes with the bill.

Judge Cohalan, while before the committee, was interrogated. I asked him questions, and as a result the following dialogue took place:

Mr. CONNALLY. Let me ask you this further question, as an American citizen: Supposing we should pass this resolution and Great Britain should take offense at it, and our action should eventuate in war; as an American citizen, would you be willing for America to go to war to maintain the freedom of Ireland?

Judge COHALAN. In any contingency, whether we were weak or strong, when a situation has been presented to the American people that appears to them to be just, I have never found any red-blooded American citizen who was not in favor of doing that which would maintain justice, even though it would bring war. [Applause.]

Mr. CONNALLY. Then, I understand you to answer my question in the affirmative?

Judge COHALAN. Undoubtedly, under those circumstances.

Mr. CONNALLY. That you are willing for the United States, if her action in this regard should eventuate in war with Great Britain—that you are in favor of going to war with Great Britain to liberate Ireland?

Judge COHALAN. I will put it this way—

Mr. CONNALLY. My question was very direct.

Judge COHALAN. I am going to answer squarely, yes.

Mr. CONNALLY. Judging from the applause, there was not any question about what the audience took my question to imply.

Judge COHALAN. I am going to answer your question, and there will not be any doubt as to my reply. At this time, from conditions over there and from a close study of English history and from a knowledge of what confronts the ruling class of Great Britain to-day, when they are almost face to face with internal revolution, when the masses are demanding not only a share in the Government, but control of the Government, as they never have at any previous time, I say that, in my opinion, we would never be faced with any such contingency as that; but in the face of that I insist and reiterate that, as an American citizen, I would be in favor absolutely of doing that which was just. [Applause.]

It will be noted that when at last Judge Cohalan was held to make answer to the specific question as to whether he would be willing for the United States to risk the issue of war with another power to serve the Irish cause he unblushingly, though reluctantly, admitted that to be the opinion to which he held. While this Irish patriot remains here at home safe and secure, he avows it to be his will that American boys shall die on the high seas and their bodies be devoured by the monsters of the deep, or that others of them shall die in cold and cheerless trenches, or that others may bake and bleach on burning battle fields, if his own political purposes may be served here in America. He is perfectly willing and seems to view without alarm the fact that by his incitement brave and rash Irishmen in Ireland may rise in riot, only to meet useless and tragic death. If he here in America may ingratiate himself into the confidence and the affection of the Irish voters, may appeal to their imagination as the apostle of Irish freedom, he is indifferent as to possible consequences.

A short time ago the press carried a statement that Mr. Eamon de Valera, advertised as the "president of the Irish republic," would speak in the city of Washington. I heard his utterances on that occasion. I heard him, in attempting to repel the charge that certain elements in Ireland had been unfriendly to the cause of the Allies, undertake to deny it, but in doing so he used substantially the following language:

Ireland was at war with but one nation. That was the one with which she had been at war for 750 years.

Let us for a moment analyze the language which was thus employed. It can not be doubted that if "Ireland was at war with but one nation," then she was, at least in spirit, at war. Was she at war with the German Empire or with Austria-Hungary, or with Bulgaria, or with Turkey? It could not have been with one of these powers, for neither of them has for 750 years been at war with Ireland. There can be no escape from the conclusion that Ireland, at least in spirit—the Ireland of Mr. de Valera and the "republic" of which he is the putative president, not the Ireland of all the Irish people, but this Ireland of which he pretends to be the titular head—was hostile to the success of Great Britain in the struggle which has just come to a close.

If the Irish republic of Mr. de Valera was at war with Great Britain, she was hostile to our own purposes, because both in the test of battle on sea and in the clash of arms on land our

interests were the interests of the Allies; our allies were Great Britain's allies, our friends were her friends, and her enemies were our enemies. And this, according to the "president of the Irish republic," was the attitude of those whom he represents. I am informed that the "president," De Valera, is an American citizen. If so, he values very lightly that proud status.

Mr. MOORES of Indiana. Mr. Chairman, will the gentleman yield for a question?

Mr. CONNALLY. Yes.

Mr. MOORES of Indiana. I would like to know if he has ever taken the oath of allegiance to the British Government?

Mr. CONNALLY. I am not informed. The gentleman will have to ask some one else about that. But in so far as the matter affects my own convictions as to what this Congress should do, it is a matter of indifference whether he is a native-born expatriate or still an American citizen. In either event he sets little value on the citizenship he once enjoyed if he does not now enjoy it. He is willing to alienate and expatriate himself and surrender a status which usually proudly confers privileges greater than under any flag that flies, and is willing to become an alien in fact as well as he is in thought.

Some days ago a statement appeared in the public press to the effect that a campaign had been launched in New York for the purpose of floating a \$10,000,000 bond issue for the "Irish republic." From the enthusiastic and credulous people of Irish blood, with their passions aroused by oratory and dramatics, these funds will be carefully collected, no doubt. It is not beyond the range of probability, however, that they will be expended in propaganda and in the exploitation of self-appointed leaders here in the United States. Mr. de Valera, as long as he is in the United States as an individual, as long as he respects the laws of this country and those considerations which should be suggested by the hospitality which he enjoys, is welcome, but when he parades himself around over this country pretending to be the "president of the Irish republic" he shows a lack of consideration for our own national interests and welfare. He is willing that we suffer embarrassment in order that reality may be given to his flimsy dreams, that his "presidency of the Irish republic" may be transmuted into actuality.

Mr. FAIRFIELD. Mr. Chairman, will the gentleman yield?

Mr. CONNALLY. I shall be glad to yield.

Mr. FAIRFIELD. Does the gentleman believe that there is any action that could be taken by our own Government with reference to the activity of the "president of the Irish republic," or, in other words, is the thing that he is doing here, which you may say is against the interests of a friendly power, of such a nature that the executive part of our Government should take cognizance of it?

Mr. CONNALLY. I would say to the gentleman from Indiana that that is a legal question which I have not had occasion to examine, and I am sure that the gentleman from Indiana, on account of his scholarship, is quite as well if not better prepared to examine that question than the gentleman from Texas.

Now, let no one go from this presence with the statement on his lips that I am lacking in appreciation of the many admirable attributes of the Irish race. I am not forgetful of the generous and chivalric nature of that brave people. With a spirit and recklessness that excite the wonder of all men, they have struggled and died for what they have conceived to be their rights. Ireland's sons have with pen and sword inscribed their glory and heroism on every glowing page of modern history. Her sons have played a large and noble part in the making of America, while others have shed imperishable luster upon the British realm and have generously contributed of their genius to the improvement of her institutions. Her poets and playwrights have charmed the readers of the English language, and her orators at the bar and in Parliament have marvelously persuaded the reason and stirred and swayed the emotions. In sharp and striking contrast to the conduct of Cohalan and De Valera in America was the action of thousands of patriotic Irishmen in Ireland who volunteered and fought courageously in the armies of the Allies. It is pleasing to turn from the pictures of the former to look upon the gripping chapters of some of the most desperate engagements and campaigns of the war and to see written there in large letters the exploits and achievements of men of Irish blood. To them and to their valor we cheerfully accord an abundant measure of admiration.

I also embrace this opportunity to give assurance that I am no apologist for British rule in Ireland in the past. There can be no question of the unfortunate methods which have often been employed by Great Britain in dealing with that people. However, the British Parliament and ministers, prompted by their own national interests, seem disposed to devote their best energies to a solution of the Irish question. It is said that the

land act of 1903 has realized much of Parnell's dreams and has enabled the Irish farmers to purchase their land upon most favorable terms. While Great Britain is striving to bring to bear the best thought of the Empire to devise a plan of political autonomy for Ireland, no true friend of the Irish serves her well by inciting revolution and riot which can but bring tragedy and despair. Ireland, perhaps, if left alone by the agitators and strife breeders beyond her borders, who during the strife, the revolution, and riot which their efforts may bring about, may be trusted to remain safely out of the zone of fire, might realize home rule through the establishment of two parliaments coordinated and unified by a supreme council of Ireland. She might attain a dominion form of government similar to that of Canada or Australia, and while enjoying self-rule would lose nothing of her security by the protection of the British flag.

Under this state of affairs the real friend of the Irish people serves them poorly, and the real American serves America poorly, when he seeks, either intentionally or by incitation, which in its indirect effects may have the same result, to incite turbulence and terror among the Irish people.

Aside from the other angles from which this matter may be viewed, politics is playing a dominant part. The Republican Party has been, and is now, I believe, seeking to insinuate itself into the good graces of those elements of foreign extraction among whom it is believed that there still lingers an affection for foreign lands. I believe that for some time there has been an attempt to foment among them a dissatisfaction and a discontent with the manner in which our international affairs have been handled, for the sinister purpose of capitalizing that discontent in the impending election.

Now, you will perhaps recall that—not by direct statement but by implication and insinuation—those elements of our citizenship who are of Italian blood have been given to understand that the peace congress did not solve in a fair and proper manner the question of Fiume, and that within the party which is now in power in this House may be found their only friend. The Greek voters of the United States have been informed—not in black and white statement, perhaps, but nevertheless just as effectively informed—that Greece was not accorded as large a share of territory out of the spoils of victory as was her due. And even those of our citizens who are of German extraction were told in the Senate of the United States only a little while ago by a Senator of the same political persuasion as the majority of this House that the terms of peace, as imposed by the treaty, were too onerous; that they bore too heavily upon their kindred across the sea; and that complaint came from those who only a little while before the terms of peace had been made known had been clamoring for the most exacting terms, for a dictated peace—one that should grind the vanquished into the very dust.

And now, last and largest, because they have the most votes, the Irish are told that at Paris Ireland did not get its freedom, and by hints and nods and shrugs and winks they are insidiously urged to believe that the Republican Party is the party that wears the shamrock and the green nearest its heart. Gentlemen on the Republican side of the House, why do you not keep your implied promise to the Irish and bring out this bill and pass it or else do your duty and kill it, so that there may be no doubt as to where this Congress stands on that measure? [Applause.] Oh, do not be deceived. Why does not that wonderful, noiseless, rubber-tired, ball-bearing steering committee of yours—

A MEMBER. Some one suggests "bearing." [Laughter.]

Mr. CONNALLY. Well, I know that it is bearing; not perhaps that which it ought to bear, but it is bearing nevertheless. Why does not that committee "that bloweth where no one listeth and no man knows whence it cometh or whither it goeth"—why does not that committee say something to its waiting and docile servitors so that you may know what to do with this measure? Has it come to pass that the telephone and the telegraph wires are down? Can you not get any communication from that magic man, Will Hayes, that political prestidigitator, from whose radiant personality comes that which the Republican House of Representatives is required to pass—this wonderful potentate, who both forecasts and recasts Republican legislative action? Oh, why do not you let the Irish know? Why do not you let the American public know what is to be done with this bill, introduced by a lifelong Republican and pending in the Foreign Affairs Committee since the 27th day of last May? Oh, dear Irish friends, do not be deceived. They want your votes. To kill this bill would disillusion you. Do not you see, dear friends? Nothing can be done now. Oh, dear American public, do not you see that they want your votes also? They need your votes also. Can not you see that they can do nothing now? Wait. Wait only a little while. To kill this bill as they should

would disillusion you. Now, both dear friends, can not you see why it is necessary to wink and smile and hint and nod and shrug and hoodwink both of you? [Laughter.]

So far as I am concerned, I repudiate and denounce appeals to class and faction in our land. Are we Americans legislating here for America or are we mere traffickers in votes, afraid to act upon a measure of this kind for fear it might offend some element of our citizenship or afraid that it might not be politically expedient?

Mr. KNUTSON. Does the gentleman repudiate and renounce the slogan, "He kept us out of war," which his party put forward in 1916 to catch the German vote?

Mr. CONNALLY. The gentleman wants to know if we renounce the slogan of 1916 that "He kept us out of war," and he says that was done to catch the German vote. No; I will tell you who renounced that. In the fall of 1918, in the congressional election, the Republican Party, of which the gentleman from Minnesota is the whip on that side of the House, renounced that doctrine and appealed to our citizenship, to every element that was dissatisfied with the declaration of war and with the conduct of the war—silently, perhaps, so far as the public was concerned, but nevertheless effectively—and in 1918 the gentleman's party received the advantage of the vote of every voter in this country who was dissatisfied with the declaration of war and with its conduct to which appeal could be made, and you capitalized it. Then, having learned to capitalize such elements of our citizenship, you are seeking to repeat that performance at this time. [Applause.]

If this Republic shall ever perish—and in the Providence of God may it always survive—it will probably fall through class strife, through the conflict of the classes, industrial or social or racial classes, or groups who view the whole question of the life or the death, of the survival or the dissolution of our system from the narrow and selfish horizon of their own supposed welfare, those whose views are so contracted by class or race as to preclude that broader vision of the welfare of the whole Nation.

As Representatives we do not possess the right to vote away the treasure and the lives of our countrymen as caprice or fancy or political expediency may dictate. There must exist some cause sufficient in law and morals to justify such a course. You and I are trustees for those vast powers, and for their keeping we are solely responsible. I can not view with patience an attempt to place my country in the attitude which the passage of this bill would inevitably create. I shall not needlessly affront our ally and cobelligerent. We shall neither fawn nor be afraid in her presence, but we can not withhold respect for her wonderful people and her vast contribution to civilization. While I should not surrender the least of our rights or compromise in the slightest degree our dignity to meet any demand on her part, I should not deny to her the same respectful treatment which I expect to always demand that she accord my own country. Still less am I constrained to do that which might be construed as an unfriendly and impertinent act that, if performed by her toward us, would rouse all the latent defiance of outraged pride.

Our country for more than 140 years has inspired and quickened throughout the world aspirations for liberty and self-government. She has not wrought that great result by meddling and interfering in the affairs of other nations, but by the example which she has set of justifying the claim to self-government, by vindicating the power of the people to govern themselves.

Her influence has reacted upon even the archaic monarchies of Europe and has brought to the peoples of England and France and Italy, of Spain, and at last of Germany and Austria, a large portion of liberty and a greater share in their governments. May that policy be pursued in the years to come, except where treaty obligations or clear and unmistakable national interests of our own make another course necessary or advisable.

Though we have just stepped from the stage of a frightful struggle with the world acclaim of victory still ringing in our ears, and while all about us the earth heaps its gratitude that our strength turned defeat into triumph and the night into glorious day; while the whole world, yet suffering from the agonies of that terrible conflict and her festering wounds, still feverish and inflamed, vividly recall the anguish and wretchedness which she has so lately suffered, earnestly longs for a peace that shall last; as we stand peering into the vast no man's land before us, we can not push our listening posts nor can we scatter our patrols far enough to discover all of the dangers that await us or all of the abysses of woe into which the passions of men or military or racial ambitions of nations may seek to plunge our country. While I trust that the pathway that lies ahead may never be crossed by a hostile power—that never again may America be summoned to lead her manhood and youth out upon the martial fields to meet

the shock of an enemy—if such a time ever does come—whether it be to test our strength with the unnumbered millions of the Far East or whether it be to repel the rising tide of anarchy and chaos set in motion by the disordered and maddened masses of Russia in an effort to engulf us in its pitiless and bottomless depths, I should entertain greater assurance of my country's safety in such a time of terrible trial had I the knowledge that she would enjoy the friendship even, if not the active assistance, of that great people whom I am unwilling to offend by the passage of this bill. Let no one in blindness or zeal for Irish freedom lessen the influence or impair the prestige of America, the one great Nation in whom is found the noblest champion of liberty on the globe.

Mr. PORTER. I yield 15 minutes to the gentleman from Wisconsin [Mr. BROWNE].

Mr. BROWNE. Mr. Chairman and gentlemen of the committee, I desire to address myself to a bill that has been reported favorably by the Judiciary Committee known as the Graham bill, which I believe is one of the most important bills before the House of Representatives.

Mr. Chairman, I am a firm believer in freedom of speech and of the press and free assemblage. Free speech and freedom of the press are essential to democracy. Without these three great safeguards representative government would be impossible. I am opposed to the Graham bill, as reported by the Judiciary Committee, and whose advocates are now asking for a special rule to bring it before Congress, because I believe it to be an unjustifiable assault upon the rights and integrity of the press and the American people. Freedom of speech and of the press was realized after years of valiant fighting. In England King James denied the right of freedom of speech even in the Parliament. The American Colonies were denied freedom of speech, which was one of their greatest grievances against the English Government.

RELIGIOUS LIBERTY AND FREEDOM OF SPEECH GUARANTEED.

The first amendment to the Constitution of the United States proposed at the first meeting of the first Congress, on March 4, 1789, reads as follows:

Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof or abridging the freedom of speech or of the press or the right of the people peaceably to assemble.

The makers of the Constitution regarded freedom of speech and of the press as of such great importance to a free people in the maintenance of their freedom that they placed the right of freedom of speech and of the press beside the right to worship God according to the dictates of conscience.

SUFFICIENT LAWS ON THE SUBJECT.

My contention, Mr. Speaker, is that the existing sedition laws, which were placed on the statute books during the Civil War, are sufficient to meet present-day conditions. If they are not, they can be easily amended without repealing them and without endangering the sacred rights guaranteed us by the Constitution. It should also be remembered that each State has laws upon this subject to meet their own conditions.

The overwhelming majority of the American people believe in our institutions that have withstood the attacks of agitators for over a century. The United States has grown and prospered as no other nation ever has without the drastic censorship proposed by the Graham bill. Our institutions have grown stronger and, in my opinion, there has never been a time when the enthusiastic love of country was as general and spontaneous among the people as it is to-day. This was shown by the acquiescence to all laws, orders, and even suggestions promulgated during the war, and in the willingness of the people to aid in the various war activities.

DRASTIC SEDITION LAWS FAIL.

The only other time that freedom of speech or of the press or of the right of the people peaceably to assemble has been seriously questioned in the United States was by the passage of the alien and sedition laws in 1798. This legislation was quickly repealed, and the old Federalist Party, through whose efforts the law was passed, was swept from power forever by an indignant people.

The United States laws on the subject of sedition are taken from the Federal Penal Code of 1910, under Crimes, chapter 1, section 6.

Section 4, inciting, and so forth, rebellion or insurrection:

Whoever incites, sets on foot, assists, or engages in any rebellion or insurrection against the authorities of the United States or the laws thereof, or gives aid or comfort thereto, shall be imprisoned not more than 10 years or fined not more than \$10,000, or both; and shall, moreover, be incapacitated from holding any office under the United States.

Page 7, section 6, seditious conspiracy:

If two or more persons in any State or Territory, or in any place subject to the jurisdiction of the United States, conspire to overthrow, put down, or destroy by force the Government of the United States, or to

levy war against them, or to oppose by force the authority thereof, or by force to prevent, hinder, or delay the execution of any law of the United States, or by force to seize, take, or possess any property of the United States contrary to the authority thereof, they shall each be fined not more than \$5,000 or imprisoned not more than six years, or both.

The States all have statutes on the subject applicable to their conditions. Under our existing laws the anarchists, the communists, and the dangerous radicals have made very little headway in the last 50 years. In fact, the dangerous radical has made fewer converts in the United States than in any other country in the world.

Mr. BLANTON. Will the gentleman yield?

Mr. BROWNE. Yes.

Mr. BLANTON. Where a newspaper or a public speaker advocates the overthrow of this Government by force and violence, does the gentleman hold that that is a proper exercise of a constitutional prerogative?

Mr. BROWNE. I think that would be a violation of law, and I think it would come properly under our existing sedition laws.

Mr. BLANTON. The Attorney General says that he needs further law to meet the present emergency.

Mr. BROWNE. I read the statement of the Attorney General.

Mr. BLANTON. Does the gentleman know that copies of such publications as this one entitled *Freedom*, a journal of constructive anarchy, which preaches anarchy, and the violent overthrow of this Government, are to-day and have been for months circulated through our mails, in the very face of the law of our country, and that under the present law our Government is powerless to stop it? Is the gentleman willing to have such a condition exist in this Government, where the Attorney General and the other law-enforcing officials of the Government have to be guarded to prevent their assassination in their home country of the United States? Is the gentleman willing to let that go on?

Mr. BROWNE. In answer to the gentleman's question I will say that I am giving the law as it exists now in the United States and in the several States, and that I think those laws, if they are enforced as they should be, will cover such cases. Now, I understand the Attorney General himself is quoted in the papers as not favoring this bill.

Mr. BLANTON. But he does favor a sedition law.

Mr. BROWNE. I am not speaking against sedition laws. We have got to take up and discuss them as they are reported by the committee. There is too much general talk on both sides. I hold that when we pass a sedition law here we should weigh each word carefully, and not simply do as they used to do on the frontier, set a gun in the front yard to keep out robbers, and shoot friends and robbers alike. We want to protect ourselves against anarchists, but we want also to protect our own people in a free and fair discussion and criticism of our Government. [Applause.] That is the position I take.

Our existing laws have been interpreted by our courts; the meaning of every word has been determined by the decisions of our highest courts. To change these laws and place in their stead new criminal statutes with the death penalty attached to their violation would have a tendency to bully and intimidate the American people, so that they would not dare to enter upon a fair discussion of our Constitution, the laws on our statute books, and the acts of an administration in power.

DEATH PENALTY.

Notwithstanding a very considerable number of the States have abolished capital punishment, this section of the law provides for the death penalty for its violation. It further provides that anyone is guilty of the violation of the law who sets on foot or assists in the use of force or violence. Under section 6, a person might not be guilty of using force himself, but by means of propaganda or speech might be said to set on foot or assist. Such persons would be subject to the death penalty if convicted of violating this section.

Section 2 is subject to the same criticism.

Section 3 provides that no person shall orally or by writing, printing, or the use of any sign, symbol, picture, caricature, or otherwise teach, incite, advocate, propose, or advise, or aid, abet, or encourage forcible resistance to the Government of the United States, its Constitution, laws, and authority, or the government of the several States, all or any of them, or the existence of constituted governments generally or defend * * * the injury or destruction of public or private property as a means of changing the Constitution, laws, or Government of the United States or defeating the authority thereof.

The above section is very broad and quite ambiguous. It contemplates that a person might by sign, symbol, picture, caricature, abet or encourage forcible resistance to the Government of the United States and its authority or the existence of constituted government generally.

Under this statute a jury would have the right to pass upon the question of whether a picture or cartoon did not abet or

encourage forcible resistance to the Government of the United States or the authority of the United States, or the existence of constituted governments generally. I do not know what is meant by the existence of constituted government generally the way it is intended in this statute. It can not mean the Government of the United States, because that has already been designated. It must therefore mean municipal, township government, or it might even mean a foreign Government.

I want in that connection to read an extract from May's Constitutional History of England, volume 2, page 2001:

Let us now examine the general results of the long contest which had been maintained between the ill-regulated, mischievous, and often criminal struggles of the people for freedom, on the one hand, and the harsh policy of repression maintained by the Government, on the other. The last 28 years of the reign of George III formed a period of perfect transition for liberty of opinion. While the right of free discussion had been discredited by factious license, by wild and dangerous theories, by turbulence and sedition, the government and legislature in guarding against these excesses had discountenanced and repressed legitimate agitation. * * * Authority was placed in constant antagonism to large masses of people who had no voice in the Government of their country. Mutual distrust and alienation grew up between them. The people lost confidence in rulers, whom they knew only by oppressive taxes and harsh laws severely administered. The Government, harassed by suspicions of disaffection, detected conspiracy and treason in every murmur of popular discontent.

That is the situation practically to-day in the United States.

I wish now to direct my attention to another section of the Graham bill, and many of these sedition bills are practically the same in regard to a few of these principal features.

Section 3 further provides that no person shall orally or by the use of pictures, caricature, or otherwise, defend the injury or destruction of public and private property. If public property or private property should be destroyed or injured as the result of a labor strike, every person who aided or encouraged the strike or who in any way defended the strikers might be held by a jury to be guilty under section 3 and be subject to a penalty of 20 years' imprisonment.

POSTMASTER GENERAL CENSOR.

Section 6 provides that the Postmaster General shall pass upon every book, magazine, newspaper, sign, symbol, or communication, writing, pictorial, printed matter, and so forth. If the Postmaster General or one of his authorized clerks determine that any letter, paper, magazine, or any other writing that passes through the mail violates this law or makes an appeal to racial prejudices, the intended and probable result of which appeal is to cause rioting or the resort to force and violence within the United States or any place subject to the jurisdiction thereof, he can declare the same nonmailable.

In discussing the powers conferred on the Postmaster General there is nothing personal intended. My remarks are directed against the giving of any person the right to determine without even a hearing what is seditious.

Section 7 of the law provides that any letter, book, magazine, newspaper, document, and so forth, which has been declared nonmailable by the Postmaster General or his clerk shall not be transportable in any other way, by express or by public or private conveyance. This section of the law gives the Postmaster General the right to censor or say what 110,000,000 people shall read. It provides for no trial and no appeal.

This provision of the proposed law is very much more drastic than the espionage law, which was a war measure and was passed with the proviso that it should expire when the war ended. Under the provision of the proposed law any writing which had been passed upon adversely by the Postmaster General could not be circulated in any way. It could not be handed to a person. If the Postmaster General should pass upon a speech in the CONGRESSIONAL RECORD adversely, any person would violate this law who handed the Record to a member of his family, or even exhibited it to his attorney to obtain an opinion.

Under the less drastic espionage law the Postmaster General replied to a suit in the Federal court by declaring that "he acted in his uncontrolled discretion and under the law was not accountable to anyone for the justice or effect of his official act."

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. BROWNE. Yes.

Mr. BLANTON. It was not the Postmaster General or the Attorney General when Czolgoz got in his work.

Mr. BROWNE. I hold that these people who want to support anarchists and read literature that emanates from cellars and underground places we will have with us always. We have had those people ever since the world existed, just as we have had robbers and murderers, and the law that it is proposed to enact will not eliminate them, for you will have just as many afterwards, and if you read the history of this country you will find

that the assassination of our public men has been less than it has been in any other country. Where you find the anarchists thrive the most is in your autocratic government, where your censorship laws are the most drastic.

Mr. BLANTON. But the soviet ambassador of Lenin and Trotsky does not occupy the cellars. He occupies one of the most fashionable apartment houses in the city of Washington.

Mr. BROWNE. Then that is the fault of your administration, the Department of Justice.

Mr. BLANTON. It is not my fault; it is the fault over here.

Mr. BROWNE. The soviet government of Lenin and Trotsky has a censorship on the press, for they are afraid of a revolution. They have a drastic censorship, and the censorship is used by the radicals Lenin and Trotsky just as much as it is by the other autocratic governments.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. BROWNE. I will ask the gentleman to yield me five minutes more.

Mr. PORTER. I yield five minutes more to the gentleman.

Mr. BAER. Mr. Chairman, will the gentleman yield?

Mr. BROWNE. Yes.

Mr. BAER. I can furnish the gentleman with a quotation from Abraham Lincoln's first inaugural address and one from an address made by Thomas Jefferson, if he wants it, and I am sure that Attorney General Palmer, with the Graham law in force, could take Jefferson by the nape of the neck and put him in jail if he were on earth to-day. But I understand that he states the Graham law is no child of his department.

Mr. BROWNE. I know that parts of the Declaration of Independence have been considered absolutely unmailable.

Mr. NEWTON of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. BROWNE. Yes.

Mr. NEWTON of Minnesota. Does the gentleman say that he knows that some portions of the Declaration of Independence are unmailable under this law?

Mr. BROWNE. I think that some parts would be under the proposed Graham bill.

Mr. NEWTON of Minnesota. I would like to have the gentleman, in his time, put in those extracts from the Declaration of Independence that, in his judgment, would be unmailable under this law, or any statement of Thomas Jefferson or of Abraham Lincoln.

Mr. BAER. I will furnish the gentleman with an editorial from a New York World, wherein it says that Mr. Pulitzer had printed a part of the Declaration of Independence in his yearbook every year, and Mr. Cobb says the World would be absolutely unmailable under the provisions of this law if enacted, and several jurists have told me the same thing.

Mr. BROWNE. Take the part of the Declaration of Independence where it states that whenever any form of government is destructive of these ends, it is the right of the people to alter or to abolish it. Also that clause in the Declaration of Independence states when long abuses and usurpations evince a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government. I think under the provisions of the Graham bill it would be doubtful whether you could mail the Declaration of Independence.

Mr. NEWTON of Minnesota. I have not read the Graham bill.

Mr. BROWNE. Then I commend it to the gentleman for his reading before he tries to defend it.

Mr. NEWTON of Minnesota. I am not defending it.

Mr. BROWNE. Let me, in this connection, call your attention to a newspaper extract which I have here stating that a minister of the gospel up in Canada, where they have rather severe censorship laws, but no more drastic than the Graham bill, has been placed in jail for quoting a passage from the Bible.

Canada seems to be afraid of its people and has just passed a drastic censorship law. The other day the Canadian Government had one of its ministers, the Rev. J. S. Woodsworth, indicted for quoting the passages from the Bible:

That is literally true. The indictment upon which Rev. J. S. Woodsworth is being tried reads:

"That J. S. Woodsworth, in or about the month of June, A. D. 1919, at the city of Winnipeg, in the Province of Manitoba, unlawfully and seditiously published libels in the words and figures following:

"Woe unto them that decree unrighteous decrees, and that write grievances which they have prescribed; to turn aside the needy from judgment, and to take away the right from the poor of my people, that widows may be their prey, and that they may rob the fatherless." (Isaiah.)

"And they shall build houses and inhabit them, and they shall plant vineyards and eat the fruit of them. They shall not build, and another inhabit; they shall not plant, and another eat; for the days of a tree are the days of my people, and mine elect shall long enjoy the work of their hands." (Isaiah.)"

Mr. NEWTON of Minnesota. I read a statement some two or three months ago to the effect that if a sedition bill was passed, using the term generally, portions of the Constitution could not be mailed under such a law.

Mr. BROWNE. In whose address was that?

Mr. NEWTON of Minnesota. I say that I read it in a New York paper devoted to the cause of the rights of women. The paper went on to state that some New York judge had put a man in prison because he had quoted and circulated in a pamphlet an extract from the Constitution. I wrote to the paper and asked the editors for the proof, and when they were asked for a showdown they could not give anything.

Mr. BROWNE. What paper was that?

Mr. NEWTON of Minnesota. I do not remember the name of the paper, but I think it was the Woman Citizen or something of that kind.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. BROWNE. Yes.

Mr. GRIFFIN. Was it not a part of the Declaration of Independence that was quoted?

Mr. NEWTON of Minnesota. No; the Bill of Rights.

HARMFUL EFFECTS OF DRASTIC LAWS.

Mr. BROWNE. People have sometimes felt justified in remote, out-of-way places, where robbers were very much more numerous than officers of the law, to set a gun at nightfall in the front yard. Of course, this practice was soon discounted. Even conceding that the proposed law would get some anarchists if it is broad and far-reaching enough to convict people who are honestly advocating changes in our laws and criticizing the way our Government is being administered, if it deters the small papers of the country or honest citizens from absolute freedom in the discussion of public questions or in criticizing public officials or the Government, the law would do manifestly more harm than good. The anarchist, or so-called "red," will go down in a cellar and plot against the Government as much after this bill becomes a law as before. These enemies of all government have existed since the establishment of the first government. They exist just the same as robbers and crooks that prey on society. They are criminals, and should be dealt with as such. We should not, in dealing with them, pass laws that will oppress others and maybe drive many honest radicals into their ranks.

It is a significant fact that the more autocratic your Government, the more you censor your press and gag freedom of speech and prevent people peaceably to assemble, the more anarchists you make. The milder class of radicals that are prohibited by drastic laws from speaking through the press or in public places, and who is an enemy of the red anarchist and would not be seen in his company, is driven from his public meeting place to the cellar. Here he meets the anarchist; and, with the feeling that the Government has wronged him, he is a much more easy convert than he would have been if allowed freedom in discussing his views.

I hold no brief for the socialists. I do not believe in their theories, but I do believe that their arguments should be met by arguments and reason and not by police officers and United States marshals. I am not afraid that the American people are going to be carried away by Bolshevism when discussed from the platform. I am not afraid that the American people are going to adopt the theories of the I. W. W. or any organization of its kind.

DANGERS IN REACTION.

There is danger in reaction as well as in radicalism. There can be no more prolific breeder of revolution than the suppression of the people's fundamental liberties.

AMERICAN INSTITUTIONS SECURE.

Our American institutions are secure because the great majority of the people believe in them, and not because Attorney General Palmer and the Department of Justice are attempting to maintain them by force. Free government must forever be the resultant of all the forces that are brought to bear upon it—radical and reactionary, liberal and conservative, revolutionary and bourgeois, socialistic and individualistic. When any of these forces is compelled to resort to secrecy the equilibrium is destroyed and the way is open to disaster.

Jefferson said:

Error should be free to be heard as long as reason is left free to combat it.

INTOLERANT SPIRIT ALL OVER THE WORLD.

Our Government, after entering the war to make the world safe for democracy, seems to be joining with Europe in an effort to centralize power and stamp out democracy. Every country that was engaged in the war seems reluctant to give up any of the powers that were given it in the war. Drast!

censorship laws are being enacted, the same as they have been after all wars and after autocratic war powers have been exercised by those in authority.

England, although she promised after the war to repeal censorship and her press censorship, still maintains them. England has even suspended the right of trial by jury in Ireland. She allows the arbitrary search of private premises, the suppression of newspapers, forbidding even monthly fairs and farmers' meetings in Ireland. Of course, it takes force to carry out such autocratic policies, and England has over 100,000 British troops in Ireland in attempting to maintain its government by force. Who would believe that this was the Government of which Pitt said:

The poorest man in his cottage may bid defiance to all the force of the crown; it may be frail, its roof may shake, the winds may blow through it, the storms may enter, the rain may enter, but the King of England can not enter; all his forces dare not cross the threshold of the ruined tenement.

The inherent sovereignty of the citizen over government was thus pictured by Pitt in words that for over a century and a half have been part of the political heritage of the English-speaking peoples.

SOVIET CENSORS THE PRESS.

In the soviet government Lenin and Trotsky, of Russia, censor the press and prohibit freedom of speech to protect the people from what they call revolutionary propaganda.

FREEDOM OF ASSEMBLAGE.

During the steel and coal strikes in Allegheny County, Pa., the authorities forbade two or more men to assemble in the streets. The authorities in many cities have prohibited socialists, nonpartisan league speakers, and others from speaking, and have even driven them out of their cities.

In keeping with the spirit of intolerance, the five socialists elected by a majority of the voters from their respective districts in the State of New York, with their certificates of election signed by the proper authorities, are summarily denied their seats because they hold different political opinions from the majority party of that assembly.

These unjustifiable acts of intolerance cause distrust and shake the people's faith in our Government and make more socialists and radicals than years of propaganda would make.

Democratic platform during the Civil War, adopted in Chicago, Ill., August 29, 1864:

Extracts from the platform adopted by the national Democratic convention in Chicago August 29, 1864.

Resolved, That this convention does explicitly declare, as the sense of the American people, that after four years of failure to restore the Union by the experiment of war, during which, under the pretense of a military necessity or war power higher than the Constitution, the Constitution has been disregarded in every part, and public liberty and private right alike trodden down, and the material prosperity of the country essentially impaired—justice, humanity, liberty, and the public welfare demand that immediate efforts be made for a cessation of hostilities, with a view to the ultimate convention of the States, or other peaceable means, to the end that, at the earliest practical moment, peace may be restored on the basis of the Federal union of the States.

Resolved, That the direct interference of the military authorities of the United States in the recent elections held in Kentucky, Maryland, Missouri, and Delaware was a shameful violation of the Constitution, and a repetition of such acts in the approaching election will be held as revolutionary and resisted with all the means and power at our command.

Resolved, That the aim and object of the Democratic Party is to preserve the Federal Union and the rights of the States unimpaired, and that they hereby declare that they consider that the administrative usurpation of extraordinary and dangerous powers not granted by the Constitution—the subversion of the civil by military law in States not in insurrection; the arbitrary military arrest and imprisonment, trial and sentence of American citizens in States where civil law exists in full force; the suppression of freedom of speech and of the press; the denial of the right of asylum; the open and avowed disregard of State rights; the employment of unusual test oaths; and the interference with and denial of the right of the people to bear arms in their defense—is calculated to prevent the restoration of the Union and the perpetuation of a government deriving its just powers from the consent of the governed.

Resolved, That the shameful disregard of the administration to its duty and respect to our fellow citizens who are now and long have been prisoners of war and in a suffering condition deserve the severest reprobation on the score alike of public policy and common humanity.

Under the proposed law these delegates voting for the Democratic platform of 1864 and whosoever helped circulate it could be convicted and sentenced to the penitentiary for 20 years.

HISTORY CONDEMNS CENSORSHIP.

At the time of the French Revolution, when agitators and anarchists were seeking not only to destroy the French Government but every other Government in the world, all the nations of Europe passed drastic sedition laws. Free speech, free press, and the right to peaceably assemble were prohibited. Free speech was prohibited in many legislative bodies by the most drastic censorship laws.

WHAT SOME GREAT AMERICANS SAY ABOUT DRASTIC CENSORSHIP LAWS.

Thomas Jefferson, in 1804, said:

The firmness with which the people have withstood the late abuse of the press and the discernment they have manifested between truth and falsehood shows that they may safely be trusted to hear anything true and false and form a correct judgment between them. Our first object should therefore be to leave open to the people all avenues to truth. The most effectual hitherto found is the freedom of the press.

William E. Channing, of Massachusetts, one of the ablest pulpit orators of his time, stated:

Freedom of opinion, of speech, and of the press is our most valuable privilege, the very soul of republican institutions, the safeguard of all other rights. We may learn its value if we reflect that there is nothing which tyrants so much dread. They anxiously fetter the press; they scatter spies through society, that the murmurs, anguish, and indignation of their oppressed subjects may be smothered in their own breasts; that no generous sentiment may be nourished by sympathy and mutual confidence. Nothing awakens and improves man so much as free communication of thoughts and feelings. Nothing can give public sentiment that correctness which is essential to the prosperity of a Commonwealth but the free circulation of truth from the lips and pens of the wise and good. If such men abandon the right of free discussion; if, awed by threats, they suppress their convictions; if rules succeed in silencing every voice but that which approves them; if nothing reaches the people but what will lend support to men in power, farewell to liberty. The form of a free government may remain, but the life, the soul, the substance is fled. * * *

John Quincy Adams, a champion of freedom of speech, in a speech in 1837 said:

Freedom of speech is the only safety valve which, under high pressure, can preserve your political boiler from a fearful and fatal explosion.

Joseph Story said:

Here shall the press and the people's right maintain,
Unawed by influence and unbribed by gain;
Here patriot truths her glorious precepts draw,
Pledged to religion, liberty, and law.

[Applause.]

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

By unanimous consent, Mr. BROWNE was granted leave to extend his remarks in the RECORD.

Mr. FLOOD. I yield 30 minutes to the gentleman from Alabama [Mr. HUDDLESTON].

By unanimous consent, Mr. HUDDLESTON was granted leave to revise and extend his remarks in the RECORD.

Mr. HUDDLESTON. Mr. Chairman, in view of the fate of my friend the gentleman from Wisconsin [Mr. BROWNE], with respect to interruptions during his remarks, I beg that I may not be interrupted. I want to speak upon the same subject to which he addressed himself, the sedition bill.

This is the second time within a few days that I have risen to this subject, and I trust the House will forgive me. I do not want to weary the House, but I am deeply concerned about the matter. I fear that something wrong is about to be done. I love my country too much to be willing to see that any of the things that we regard as fundamental Americanism shall be tampered with.

I try not to be an extremist, but I can not forget why our ancestors fought at Lexington and at Cowpens and at Yorktown. I can not forget the early history of my country; I can not forget the Declaration of Independence and the American Bill of Rights. There seems to be so little attention being paid to this bill by Members of the House, and it has such momentous possibilities and is of such tremendous importance that I am distressed at its imminence.

Speaking upon the passport-control bill in the House on May 4, 1918, at page 6063 of the RECORD, I said:

Democracies find it hard to wage efficient war. When war comes we find that the principles that democracies have long cherished and have bled for are given up one by one, little by little, piece by piece, until at last, if those who concern themselves merely with carrying on the war have their complete will, there will be left no democracy, no liberty, but only autocracy, because autocracy can wage the most efficient war.

I realize that we who love liberty must give up many things that we have cherished, and I am willing to give up mine. I give them up gladly, but I give them up with an awful and sickening fear in my soul that perhaps some of them may never come back to me and to my people.

We gave up many American privileges to win the war. We passed the passport-control bill which forbade an American citizen either to leave his own country, or once away from it to come back, without the permission of the President, under power which might be delegated to some subordinate. We gave up the right to speak our minds freely and say what we thought about the war and matters connected with it. We gave up the right to say whether we would go to war as volunteers or stay at home. There are other rights which we gave up.

While I did not agree to giving up some of these things even temporarily, my judgment was that of the minority, and I cheerfully acquiesced in what was regarded as the emergency of the

hour. One reason why I did not agree was because I knew what I said on that day was true—that once you give up a liberty there is danger that you will never get it back again. That has been verified and is being constantly verified.

That same passport-control bill came before my committee again after the war had closed, and a strong effort was made to get it reenacted for peace times without any limit upon the period during which it should be in force. I honor the Committee on Foreign Affairs that it stood against that effort and insisted that a limit should be put upon it, but we were able only after a hard fight to compromise with the other body to put a limit at the time fixed, six months as I recall it, after peace had been finally declared. That law is still in force, though we have had no war for over a year.

The explosives act, which we passed, as anyone who really understands the subject will admit, invaded the police powers of the States, yet a determined and persistent effort was made—and I feel I am not exaggerating when I say that that effort was to a large extent surreptitious—to reenact that law and make it of permanent application. Only the courage of the House defeated that purpose.

We are now having, as is known to every Member of the House, a most determined and powerful effort made to make as a permanent American institution the odious system of conscription of soldiers—conscription for peace, not for war. There is an influential element in this country that wants to carry on in time of peace and as a permanent thing a system of dragging boys by force away from their firesides and putting them in the ranks in time of peace.

In this sedition bill we have an effort to perpetuate in still more distasteful terms, with still more drastic provisions, the harsh terms of the espionage act.

I hope the House will not surrender to these proposals. I hope the House will not allow its sense of true Americanism to be overcome by the temporary hysteria of reaction which is an aftermath of the war. I hope we will stand firm.

NOT A LABOR ISSUE.

There is a disposition upon the part of some to look upon this measure as having peculiar labor aspects, as being a labor issue. That is a very grave mistake. Labor has no particular concern in this bill. Do not be misled, gentlemen, by the coincidence that it happens that the big employers are all for this sedition bill and that labor is all against it. Mr. Gompers has no more concern about this legislation than should be held by any patriotic citizen.

There is nothing about a man being a workingman, or a unionist, for that matter, that has any particular relation to this bill.

It just so happens that one of the planks of the American Federation of Labor is in behalf of free speech. It has had that principle in its platform during its entire existence; it is in there along with some other splendid democratic and humanitarian planks; and I recommend that some Members of the House, who do not seem to understand what the American Federation of Labor stands for, read them some time. There is reason why the American Federation of Labor should stand for democratic principles. Somebody has got to speak for the common man and defend his interest, else he is lost. The common man is the one who is really concerned in democracy; he is the one that needs his liberty defended. The great and powerful always have all the liberty they want. They can take care of themselves. It is the poor and ignorant and obscure who need freedom of speech and the right to think their thoughts and try to make something of themselves. They are the people who should be encouraged. They are the ones who should have the greatest liberty, to strive and to look onward and upward into a higher and better life. The rich and powerful can work out their own destinies. Governments courtesy to them, even as "customs courtesy to kings." This is so because they dominate government by reason of their wealth, intelligence, and education and social and political prestige. Governmental activity is but the manifestation of their will. This is inevitable, whether in oligarchy or democracy.

But this is not a labor question, gentlemen. It is an American question. It has nothing to do with unionism. It has to do with what our ancestors fought for upon the battle fields of the Revolution. Free speech is an essential part of the spirit of Americanism which broods over our country and guides its destiny. Let us not forget it in a moment of hysteria.

WHAT IS THE WORST TREASON?

Too many gentlemen of the House, and this is true also of the public, are inclined to take a mere legalistic view of this and of other similar measures. Many Members are in the same situation as the gentleman who a few moments ago expressed himself with considerable assurance upon the proposition, saying

at the same time he had never read the bill. So it was that a gentleman who made a speech the other day saying that he was against sedition; he was against treason. Well, are we not all against sedition? Are we not all against treason? Commonplaces, oratory, protestations, and swelling the bosom over how patriotic we are of small worth. Let us read the bill and understand it.

What is treason? Ah, the worst treason I know of, my friends, is treason to the principles of Americanism [applause], treason which would betray what our ancestors accomplished by the shedding of their blood. If there be worse treason, I do not know what it is. Of course, we are against sedition and we are against treason. Gentlemen who talk such commonplaces, in their innocence—I will not say ignorance—do not seem to know that we already have laws to punish treason; that we already have laws to punish sedition. We need nothing new for those purposes, and this bill does not give anything new.

Nobody who knows this subject or has studied it will for a moment insist that we have not laws which make it a crime either to actively resist the Government of the United States, its authority, or its laws, or to conspire with anybody else toward that end. If a man undertake to use force against the Government of the United States or its laws or its authority—and that is very broad, gentlemen—there is a law that fits his case exactly. If any two men agree between themselves to do any act of that kind, although that act be not accomplished, we have laws that fit their case exactly. We need nothing more for such cases. And I refer gentlemen who want to look into the subject to sections 5334 and 5336 of the Revised Statutes.

The only thing that this proposed measure accomplishes or is intended to accomplish is to keep a man from saying what he may want to say. It is to prevent speech, either printed or oral. That is the only field for the operation of this statute whatsoever, to keep men from advising others to oppose by force either the Government, the authority of the Government, or any law of the United States.

HOW LAW WOULD OPERATE.

For illustration, if a man should get up on the street corner and say to the bystanders, "An unjust law has been passed by Congress. I advise you to resist it by force, if need be," this statute operates on him and him alone. It is applicable only to cases of that kind, and its sole purpose is to prevent such speeches and other similar acts.

Mr. BLACK. Will the gentleman yield?

Mr. HUDDLESTON. The gentleman will excuse me, please. I asked at the beginning not to be interrupted, because I really did not have time to say what I want to say.

It operates on him and him alone. Then comes back at me a legalistic gentleman and says, "Are you not opposed to a man saying that?" Now, there are several propositions involved in that question. Of course, I am opposed to him saying that, but it does not follow by any means that I want to put him in the penitentiary for it, or that I would favor passing a law that would do so. I want to be perfectly frank with this House. I would not suppress that man. I would let him say what he wants to say. Nobody need misunderstand me on that point. But that is not the question.

The propriety of passing a law to suppress free speech is not to be decided solely upon the issue of whether a law is needed to forbid some man from doing a thing which he ought not to do. That is not the sole consideration at all. There are other aspects of the matter much more important. One is the expediency of such a law. Should we start out on a program aimed at the freedom of speech? That is the first problem you have got to settle for yourselves. Should we imprison men for saying what they please when and although no consequences whatever result therefrom? Then, if you answer in the affirmative, ask yourself this question, "Is this an opportune time to embark upon that kind of legislation?" The country is at peace, yet we have grave unrest in the country. The unrest at present is almost wholly industrial. There is not one man in 10,000 in the United States who wants to overthrow the Government or has any thought of such, or who wants to change the things that constitute Americanism. And yet, as I said in a speech which I made in the House on December 9 last, industrial unrest may be converted into political unrest by political measures. And when I said that I had in mind just such measures as this, efforts by Government to deal with industrial unrest, not by answering it, not by explaining it away, not by remedying the evils that have caused the unrest, not by doctoring the disease, but by throttling the patient's cries.

WILL AGGRAVATE DISCONTENT.

If there be anybody so simple as to believe that to forbid the expression of discontent is a cure for discontent, then to him I

can offer no argument. There is industrial unrest. I deplore it. But it exists and it has its causes. It will in due course pass away, just as such things have in the past. We will forget it. However, if we pass such a law as this, I hope we will not be allowed to forget our action.

Existing popular unrest will pass in due course unless we deal with it in a stupid, blundering way; unless we undertake to suppress it by the iron hand of the Government; unless we change and divert the dissatisfaction which the man feels with his wage, or with his employer, or with the conditions under which he works, or with the profiteer, or with one thing and another that has excited unrest; unless we divert that dissatisfaction from its legitimate object, the employer or the profiteer, and so on, who may be abusing the privileges and opportunities of this country—divert it from him to the Government. By suppressing an expression of that discontent we will take upon the shoulders of our Government the burden of this discontent that is caused in chief by industrial and economic conditions. [Applause.]

Now, if we are going to pass this kind of law, if somebody is so legalistic and abstract that because his attention is called to a field for the operation of an antiracket law, to a gap in the law that ought to be stopped some time, he feels compelled to fill it, I hope he may have balance of judgment enough to wait until a time when it is more opportune, until the industrial and economic pain from which the people are suffering has either run its course or has been remedied in some way. I do not want our Government to take upon its shoulders the burden of the hatred and distrust of everybody who has got a just ground of complaint and dissatisfaction now. Is there anyone who does? I would ask him to consider it most carefully.

ABUSES IN ENFORCING LAW INEVITABLE.

But another thing, gentlemen, that we have got to consider, having passed upon the two preceding points, is, What is going to be the result of this law? How is it going to be enforced? Well, we have had some experience with the enforcement of the espionage act. We have had many convictions under that law. We have had a great many arrests. The Attorney General's report shows that more than two people were unjustly and wrongfully charged with violating that act to every one who was found guilty under it. For every man who was found guilty more than two were haled into court, put to the expense of trial, and humiliated and made ashamed.

But what about the thousands who did not get into court? What about the terror that was spread over the country? What about the spies? What about honest men and patriotic citizens being made afraid? They did not know their rights; they are not lawyers—they did not know what they could say nor what they could not say. Members of Congress even could not say that. There were in this country thousands and hundreds of thousands of good Americans who suppressed their thoughts, and who were made afraid, and who were spied upon and humiliated and embarrassed because we had this law. The country was filled with busybodies and volunteer spies, who considered themselves patriotic in eavesdropping their neighbors and informing upon any who spoke indiscreetly.

What occurred then will occur again. These men who were convicted—who were they? Were they German spies? My information, gentlemen, is that under that espionage act there has not been a single conviction of an enemy agent or a spy or of anybody who tried, either at the instigation of an enemy government or otherwise, to get information for enemy uses. No; it was Americans who were punished. There were only a few people who undertook to do disloyal acts, a very few who undertook such things, scarcely one out of a hundred of those convicted. Nearly all of those convicted were Americans, Americans in spirit and Americans in interest. They were unwise; they had bad taste; they were wrong; they were impolitic. They said things against the Government or against the administration. What they did was wrong. It was also unlawful—and they were put in jail. The sad thing to tell is that many of them are still there, languishing in prison, with the war over and the troops gone home—Americans born and bred, loving our country and its institutions, perhaps willing to die for it—fanatic and misguided—they languish yet in jail.

CASE OF ROSE PASTOR STOKES.

Rose Pastor Stokes about two years ago wrote a letter to a newspaper in which she said, "I am for the people; the Government is for the profiteers." For the use of those words she was indicted under the espionage act for obstructing recruiting for the Army, and so forth, haled before the court, and tried. Her past utterances were investigated. Everything that she had ever said or done which indicated opposition to the war or dissatisfaction or disagreement with governmental

action was placed before the jury in its most prejudicial light. She was not permitted to prove that she had done this or said that or the other thing tending to sustain American institutions and showing her love of country, but everything she had ever said or done that could be twisted or distorted into an unfavorable aspect was quoted against her. The jury was human and naturally the woman was convicted. She was given a 10 years' sentence in the penitentiary. Public sentiment was inflamed and most intolerant; she was wrong; she spoke ill of our Government; the jury thought her words might have had some harmful effect; of course, she was convicted.

That, gentlemen, is a typical case. Are you going to leave the door open to prosecutions under another act, and this in time of peace, that will leave it open to juries to say, "Your intent was bad, and therefore we convict you and send you to the penitentiary?"

Read this bill, gentlemen; read it carefully. If it merely provided that a man who advised in explicit terms the use of force against the Government, if that were all, it would not be so bad. But that is not all. In it are used many equivocal expressions, such as "advises," "teaches," "suggests," "tends to," "incites," and "calculated to," and so on down the gamut of words expressing the means by which one man may affect the conduct of another, words of loose and uncertain meaning.

Every jury that is called upon to try a man under such a statute will be required to pass upon his intentions. It is inevitable that the accused will be found guilty or innocent as the jury may approve or disapprove his motives. And how are they going to find his intent? Just as they did under the espionage act. [Applause.] The result of such a trial is bound to be determined by existing public opinion and the standing and influence of the accused. This bill, if it passes, will put it in the power of any jury, if they should be so stupid, prejudiced, or uninformed, to convict an accused, no matter how high his loyalty or unselfish his patriotism.

NO GENERAL DEMAND FOR SEDITION LAW.

There is no general demand for legislation aimed at sedition. Such demand as there is is merely a class demand. It comes merely from the big business and propertied interests and those who, having little sympathy with democracy, conceive the need that the plain citizen should have his thinking and his talking done for him. Big finance and big business and their organs and parasites demand the legislation. By them it is intended to suppress agitation for the economic and industrial changes which they oppose. They fear that their control over our resources and their opportunity for exploiting labor and the masses in various ways are threatened. Certain newspapers which speak for the big interests are advocating repressive measures, but there is no demand for such measures from our farming population or from labor or from the masses generally.

I come from a great industrial district. The three dailies published in my home city each advocated antisedition legislation editorially and have carried the propaganda in favor of it. One of these papers, the News, the most influential of the three, published a copy of the so-called Davey bill, and urged editorially that my constituents should write me advocating the passage of that measure. In response to this urging and to the editorials and so forth in the two other dailies I have received exactly one letter in behalf of the Davey bill. I have received numerous letters from my constituents against it. No doubt my district is typical.

Mr. Glass, editor of the Birmingham News, to which I refer, is also president of the American Newspaper Publishers Association. He is reported in the press to have called upon the newspapers, members of his association, to oppose section 6 of the Graham bill. That is the section which would affect the freedom of the newspapers to publish what they wish. After advocating in the News the passage of the Davey bill, Mr. Glass becomes suddenly aroused when a measure which would affect the privileges of newspapers is presented. It would seem that he cares nothing for the right of the people to speak but is deeply concerned when his own rights and those of his fellow editors are trenches upon.

THE AGE OF PROPAGANDA.

This is the age of propaganda. The printing press, long a blessing to mankind, is now, it seems, about to prove a curse. The press seems almost wholly devoted to teaching class doctrines and furthering interests of the small upper class. Journalism is a dying art. Newspapers print little unadulterated news. Nearly everything is set up in line with the owner's policy and to teach the things he would have his readers believe. I do not make this statement solely upon my own responsibility. We have the opinion of Frank I. Cobb, the New York editor, upon the subject. In an address which Mr. Cobb delivered in the city

of New York on December 11, 1919, he discussed the methods of propaganda and the necessity for the reestablishing of free opinion and speech with great force and understanding. I take leave to quote a few passages from Mr. Cobb's speech:

For five years there has been no free play of public opinion in the world.

Confronted by the inexorable necessities of war, Governments conscripted public opinion as they conscripted men and money and materials.

Having conscripted it, they dealt with it as they dealt with other raw recruits. They mobilized it. They put it in charge of drill sergeants. They goose-stepped it. They taught it to stand at attention and salute.

This governmental control over public opinion was exerted through two different channels—one the censorship and the other propaganda.

As the war progressed the censorship became less and less a factor and propaganda increased in importance. Governments relied on propaganda to equip and sustain their armies, to raise money, to furnish food and munitions, and to perform all those services without which armies would be vain and helpless. The organized manipulation of public opinion was as inevitable a development of modern warfare as airplanes, tanks, and barbed-wire entanglements.

There were two kinds of propaganda, one that represented the appeal to reason.

The other kind of propaganda resembled in a general way the activities of the cheer leaders at a football game. It was noisy and demonstrative and emotional and spectacular, and as such it often served a highly useful purpose. Sometimes it was frankly mendacious, for mendacity plays no insignificant rôle in the drama of war. When government lies, it does not lie sneakily and furtively but proudly and ostentatiously.

When the armistice was signed and demobilization began, public opinion was demobilized, too. Bands of propagandists are wandering around terrorizing public opinion and trying to frighten it into submission to theories of government that are strange to American institutions.

What the United States needs more than anything else to-day is the restoration of the free play of public opinion. That requires, first, the reestablishment of the freedom of discussion, for without freedom of discussion there is no public opinion that deserves the name.

The policy of repression that has been generally adopted by governors, mayors, and police officials—in some cases by Federal authority—to meet this propaganda of radicalism is fatal. Two thousand years of history bear witness to its folly. Nobody ever succeeded in bettering the weather by putting the thermometer in jail, and nobody will ever remove the causes of unrest and discontent by trying to suppress their manifestations.

BE NOT AFRAID.

The trouble with the advocates of repressive measures of legislation seems to be a case of fear—I almost said "shell shock," the recoil of war. They do not trust the people. Their faith in American institutions is shaken. They are perhaps unconsciously showing themselves willing to abandon the principles of Americanism to which we have so long held. I reassure them. The people of the United States are yet capable of self-government, notwithstanding the doubts of these gentlemen. It will take something more than a few "soap-box spellbinders" to overthrow the Government of the United States.

I would bid the fearful ones to trust to the sound sense of the people and to their ability to winnow out the chaff of false political doctrine. Undoubtedly, after 140 years of development and experience with free institutions, the American people can be trusted to adhere to them. They are more competent for self-government to-day than ever.

The greatest threat to American self-government is the efforts of propagandists who poison public opinion with their falsehoods and crystallize men's views along warped lines. We have some rich men in America who don't know what to do with their riches. They want to interfere with and control other people's lives. They want to do other people's thinking. They conceive, because they have made millions, that they know all about political and social problems. The truth is that the average captain of industry and financier has less real understanding of such questions than the average citizen. Let him get back to his money box, let him clip his coupons, let him go on heaping up his millions. That he understands and can do. He can not rule the people. No man who is burdened with accumulated wealth or whose past is tainted by having devoted his heart and soul to the accumulation of wealth is fit to lead the people along lines of high morals or thinking.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. PORTER. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. HUSTED].

The CHAIRMAN. The gentleman from New York is recognized for 10 minutes.

Mr. HUSTED. Mr. Chairman, I rise for the purpose of discussing the sedition act, which the gentleman from Alabama [Mr. HUBLESTON] has just condemned in such unmeasured terms. I happened to be the chairman of the subcommittee that drafted the act. [Applause.]

But I desire to say that I am and have always been absolutely opposed to sections 1 and 2, the sections which contain the conspiracy clauses. I do not believe that any man in the United States should be convicted of a political offense unless he have a separate trial, and those sections provide for group trials. I also am opposed to the death penalty carried in those sections, because I believe it is not necessary there. There is ample statutory authority in every State to deal with cases of murder or cases of violence which cause death.

But with the eliminations of sections 1 and 2 this bill is not at all what the gentleman from Alabama [Mr. HUBLESTON] and other gentlemen, who have apparently examined it not at all closely, have said that it is. It is confined absolutely to the prohibiting and punishment of advocacy of force and violence, in overthrowing either the Government of the United States, its laws, or the authority of its laws; and I would like to hear some gentleman rise upon this floor and say that the Government of the United States, through its administrative officials, should not be possessed of adequate authority to deal with a man who either on the public platform or in the meeting room advises the overthrow of this Government by the use of the bomb, the torch, dynamite, or any other violent means. [Applause.]

This bill does not interfere in the slightest degree with any man who advocates any change in our Government, however fundamental that change may be. He can advocate the soviet form of government; he can advocate socialism; he can advocate communism, if he wants to, so long as he confines himself to peaceful means. But when he stands up on the public platform or in the meeting room and advises the establishment of soviet government here by force and violence, by murder, by burning, and by the destruction of property, then this bill reaches him, and reaches him most effectively. [Applause.] I believe that the people of the United States, all patriotic red-blooded Americans, want the Government of the United States to be in a position to adequately protect itself against that kind of doctrine. Section 3 of the bill provides—

That no person shall orally or by writing, printing, or the use of any sign, symbol, picture, caricature, or otherwise teach, incite, advocate, propose, or advise, or aid, abet, or encourage forcible resistance to or forcible destruction of the Government of the United States, its Constitution, laws, and authority, or the governments of the several States, all or any of them, or the existence of constituted government generally.

Is there anybody who can object to that? Also—

Or orally or by writing, printing, or the use of any sign, symbol, picture, caricature, or otherwise teach, incite, advocate, propose, or advise, aid, abet, encourage or defend the destruction of human life or the injury of any human being or the injury or destruction of public or private property as a means of changing the Constitution, laws, or Government of the United States or defeating the authority thereof.

Now, it has been said that this bill would interfere with labor organizations who propose to strike. If you take out sections 1 and 2, it does not do anything of the kind. It would not interfere with any labor organization that wanted to strike for any purpose so long as that organization did not advocate the use of force and violence as a means of overthrowing our Government, our Constitution, our laws, or their authority. And I do not believe that any patriotic labor organization man, whatever labor organization he may belong to, would object to any of the provisions of this bill after sections 1 and 2 are stricken out, if he understood what they are.

Mr. GOODWIN of Arkansas. Will the gentleman yield?

Mr. HUSTED. Yes.

Mr. GOODWIN of Arkansas. What effect would sections 1 and 2 have if they should remain in the bill?

Mr. HUSTED. I think they would confer upon the law officers of our Government the power of efficient threat, if they saw fit to exercise it. I think they could say to a labor organization about to start a strike, "We think you are taking the first, the initial, step in an attempt to overthrow the Government, and we want to warn you that if anybody is killed as a result of this strike, we are going to hold you all for murder, and we have not got to give you individual trials. We will give you a group trial. We have only got to give one man an individual trial."

Now, I am absolutely opposed to that sort of thing, and I believe the people of the country are opposed to it; but if you take sections 1 and 2 out of the bill, then there will be no provisions in it that any patriotic American should have any objection to.

Mr. BROWNE. Does the gentleman believe in the section that gives the Postmaster General the right to censor all handbills, letters, and materials that pass through the mails, without any appeal or any hearing?

Mr. HUSTED. That is not the intention of the committee.

Mr. BROWNE. Section 6 gives that power.

Mr. HUSTED. A committee amendment will be proposed that will give the right of appeal from the decision of the

Postmaster General to the district courts, so that that appeal will be heard immediately and a decision made de novo.

Mr. BROWNE. The bill does not do that now.

Mr. HUSTED. The committee adopted such a provision, and it should be in the bill. If it has been inadvertently omitted, a committee amendment to that effect will be offered.

Mr. BURKE. Will the gentleman yield?

Mr. HUSTED. Yes.

Mr. BURKE. Does the gentleman know that there was a similar bill presented in Pennsylvania, and all those objectionable clauses and features were taken out, and it was stripped down to a simple sedition law, but under that law they denied the members of organized labor the right to meet in a hall, two or three of them together, although those men were just as good American citizens as you or I and made just as great sacrifices as you or I?

Mr. HUSTED. I am not familiar with the statute to which the gentleman refers, but I know that if you take sections 1 and 2 out of this bill, no officer under its authority could interfere with organized labor in any respect whatsoever.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FLOOD. I yield 25 minutes to the gentleman from Texas [Mr. Box].

AMERICANISM OR EUROPEANISM—WHICH?

Mr. BOX. Mr. Chairman and gentlemen, for a period of 12 years, beginning with 1903 and ending with 1914, when the European war started, the number of aliens admitted into the United States ranged between 750,000 and 1,300,000 annually, never falling as low as 750,000 in any one year, six times rising above 1,000,000, and twice above 1,200,000.

The number coming during each of these years is shown by the following figures:

1903	756,046
1904	812,870
1905	1,026,499
1906	1,100,735
1907	1,285,349
1908	782,870
1909	751,786
1910	1,041,570
1911	878,587
1912	838,172
1913	1,197,892
1914	1,218,480

Enough immigrants came during these years to make two or three of the smaller States. During the earlier years of the Republic New England objected to the creation and admission of Western States, because she feared that they would turn the scale of power to the injury of interests which she cherished. Later, all thinking men saw that the character of the new States would control the Nation and its attitude toward vital questions. Therefore there was a hard fight, a series of political battles, a series of campaigns, a protracted political war over the Missouri Compromise, the admission of Texas, and the Kansas-Nebraska bill. The question was, Who should be in the Union and in position to participate in control of the Nation? The sequel proved that the leaders and the people were not making "much ado about nothing," but that the issue on slavery and a certain construction of the Constitution depended on the admission or exclusion of States whose people would favor certain policies.

The even greater question now is whether Americanism shall dominate or be destroyed, whether the people and spirit of this country shall be American or European or oriental in character. The result will certainly and vitally affect the character of the Nation and the fate of its people.

The continents of Europe, Africa, and Asia have been and are the homes of hundreds of millions of pitiful human creatures who have labored and had a hard existence. Famine in China and Ireland, and bitter poverty everywhere; serfdom in Russia and kindred curses in all the Old World; Jewish pogroms, Armenian massacres, Spanish inquisitions, French revolutions, Russian exiles and Russian chaos, wars without number, and almost without end, all mere waves on the wretched human sea which has covered the other three continents for ages.

Sometimes suffering has caused frantic uprisings and revolutions, but stillness, silence, and endurance have in the main pervaded this pitiful human mass. Sometimes their wails have shrieked in the words of Hebrew poets and prophets. At other times an Irish bard has told of "ages of bondage." A Tolstoi has made his life and words an index finger pointing to it. Because of it a peasant poet has concluded that "Man was made to mourn."

Europeanism and Orientalism are synonyms of poverty and slavery, but Americanism has meant other things. I do not use the word in a political clap-trap sense. When not coming from the mouths of demagogues Americanism means plenty,

opportunity, and freedom. Here has developed a race whose attitude toward life is different from that of men in countries where such a mess has been made of human society. This attitude toward life also is Americanism. Europeanism and Orientalism have starved, belittled, and deformed men. Thus we have in the Old and New Worlds opposites of conditions and character. Such opposites create conflicts. Slavery desires to break into freedom; famine wants to feed on plenty. Thus America presents what the world wants—a meal to satisfy its hunger, an antidote for its woes. The question is not whether we shall help them, but whether Europeanism shall envelop America to its destruction as the home of Americans.

The contests between races rising out of such conditions constitute one main development of history. America was Europeanized as against the original American—the Indian. Europeans are rapidly converting Africa into a home for themselves as against the African. The character and status of India with its 250,000,000 of people is rapidly being changed. Every country has been changed by an obtruding, incoming people from without. China, Korea, and Manchuria are passing through the process now. Australia, France, ancient Rome, ancient and modern Egypt, England in its conflicts with the ancient Britons and later with Normans are examples of such changes. No country has been permanently exempt from this peril. Such struggles are certain; they have waxed and waned eternally. In some instances the process is war; in others it is less noisy and exciting, but no less destructive of the existing national life.

The destruction of the spirit, institutions, and government of a people may be by quick violence like Germany used toward Belgium and France, by infection like that which Germany put into Russia to destroy it, or by both dilution and infection such as would take place in America should the new and un-Americanized element become so numerous that their sentiments would prevail over the views of Americans who understand and cherish the traditions and spirit of their country, or should the poison of radicalism and disorder from that source imperil our institutions?

The size and character of this throng, measured by tens of millions, make it look ominous to one who wants America to live forever—not as Europe and Asia have existed, but in the full possession of its own American soul, the spirit and atmosphere of a home for Americans, which is a heaven as compared with Europe and Asia, lying forever under the curse of poverty and oppression.

The number coming during the 12 years mentioned and ending with the check caused by the war is shown by the figures already presented, in addition to which I remind you that there are 13 States now having more than one-half of their population foreign born, and the children—not grandchildren—of foreign-born father or mother, or both. They are: New York, New Jersey, Massachusetts, Connecticut, Rhode Island, Illinois, Minnesota, Wisconsin, Michigan, North Dakota, South Dakota, Montana, and Utah. Many of these are big States, like Illinois, with 25 Representatives in Congress and 27 presidential electors, and New York, with 43 Representatives in Congress and 45 presidential electors. Some of them have as much as 70 per cent of their population so constituted; Minnesota, North Dakota, and Rhode Island have. Several have more than 60 per cent of such population; New York, Connecticut, and Massachusetts have. Then there are 13 other States having more than 35 per cent of such population, and many others having a heavy percentage of such population. (See pp. 85 to 89, Abstract 13th Census.)

Every student of this question knows that these people are collecting in dangerous hundreds of thousands in the large cities. President Roosevelt said in his message to the Fifty-ninth Congress:

As much as possible should be done to distribute the immigrants upon the land and keep them away from the congested tenement-house districts of the great cities. (P. 101 Record, 59th Cong., spec. sess.)

The Immigration Commission's report, from which I quote freely because of its authenticity, says:

In making the large cities and industrial centers their place of residence, aliens composing the new immigration movement have continued to follow a tendency which originated with the advent of such immigrants in considerable numbers. (1 I. C. R., 40.)

And again:

The increase in foreign-born is an increase in city population entirely, and mostly in large city population. (1 I. C. R., 142.)

In 1910 Greater New York had a population of 4,766,883, of whom 19.3 per cent were native-born whites of native parentage, 40.4 per cent were foreign-born white, 38.2 per cent were the children—not grandchildren—of foreign-born fathers or mothers, and 1.9 per cent were negroes.

Chicago had in 1910 a population of 2,185,284, of whom 20.4 per cent were native-born whites of native-born parents, 33.7 per cent

were foreign-born whites, 41.8 per cent were the children of foreign fathers or mothers, and 2 per cent were negroes.

Pittsburgh in 1910 had a population of 533,905, of whom 33 per cent were native-born whites of native parentage, 26.3 per cent were foreign-born whites, 35.9 per cent were children of foreign-born father or mother, and 4.8 per cent were negroes.

Milwaukee had in 1910 a population of 373,867, of whom 21.1 per cent were native-born whites of native parentage, 29.8 per cent were foreign-born whites, 48.8 per cent were children of foreign-born father or mother, and 9.3 per cent were negroes.

Boston in 1910 had a population of 670,585, of whom 23.5 per cent were native-born whites of native parentage, 35.9 per cent were foreign-born whites, 38.3 per cent were children of foreign-born father or mother, and 2 per cent were negroes.

Fall River, Mass., had in 1910 a population of 119,295, of whom 13.3 per cent were native-born whites, 42.6 per cent were foreign-born whites, 43.7 per cent were children of foreign-born father or mother, and 3 per cent were negroes.

Worcester, Mass., had in 1910 145,986 people, of whom 28.4 per cent were native-born whites, 33.2 per cent were foreign-born whites, 37.5 per cent were children of foreign-born father or mother, and 9 per cent were negroes.

On page 95 of the Abstract of the Thirteenth Census will be found the authority for these figures. Many more such cases could be cited, but these are typical, and sufficient to show how these people are congesting in the cities.

The worst of this element tends to align itself with the enemies of government. Like children they stand in the midst of good things provided by others, without any thought of their cost, or of the necessity of preserving them.

Europe and the Old World have made their society and government so often and so long the instruments of oppression that men have come to look upon government as an evil and the enemy of man—especially of lowly man.

These millions of recent arrivals consisting of Slovenians, Turks, Bulgarians, Russians, and other long oppressed, and largely lawless, men, bring infection with them and provide dangerous breeding ground for infection from their own poison and from poison already here. They furnish a very dangerous kind and quantity of material on which the vicious madness of communism, anarchy, and chaos may and does feed. The fact that we have a big, bad element of our own, instead of reducing the danger, increases it. If all Americans were good ones, the danger would be much less, but our bad class is large enough to be dangerous within itself, and is much more to be dreaded when it has millions of un-Americanized men of a class specially subject to its influences and suitable as its instruments.

Mr. James Bryce, in his "American Commonwealth," a friendly, learned, and impartial work on America, says over and over again that the vast immigrant population of the cities is ignorant and unpatriotic, and that it is a pity that they have been given civil power. (Vol. —, p. 299; vol. 2, pp. 97-98.)

I recently collected figures showing 2,428 red conspirators against the Government, whose arrests were reported in one recent issue of a daily paper. Of this 2,428, 2,088 were arrested in 13 States having more than one-half of their population foreign born or their first-generation children; 235 came from States having 15 to 50 per cent of their population foreign born and their first-generation children; and 5 came from States having 5 to 10 per cent of their population foreign born or their immediate children. None came from States having less than 5 per cent of their population so constituted.

Who shot President Roosevelt? John Shrank, born in Germany.

Who killed the loved and lamented McKinley? Try to pronounce his name, and you will know the rest.

As indicating the source from which the thousands of anarchists now in this country came, I give you below the names of the defendants recited in one brief by their attorney in a legal proceeding against them as alien anarchists:

Mike Bratko, Thomas P. Buhkanow, Nikolai Besarow, Ignatz Bogdanoff, John Banuff, Abe Brook, Michael Abrossimoff, Misha Antonoff, Roman Andrieuk, Benjamin Apanasech, Fred Antonchuk, Aaron Shalow, Maxim Schinejko, George Cyzyk (alias Paul Gigalko), John Coslick, John Duboff, Tony Federaco, Thomas Furs, Andrew Hostilla, Alfons Hajduk, Boris Keretchuk, Demian Kravchuk, Tony Korscheikoff, Joe Kozza, Teodosi Kotovich, Steve Kaminsky, Piotr Kozloff, Samuel Kanonowich, Alex Kornen, Michael Koropotko, Michael Kravchuk, Dora Lipkin, Arthur Lesiga, Andrew Lazarewitz, Anton Lipsky, Mike Lavrenuk, Gregory Melnikoff, John Newar, Andrew Nazaruk, Peter Novick, Ivan Novikoff, Nikolai Oehrimuk, Dimitrie Panko, Joseph Poludeck (alias Balluck), Mathew Podlipy, Theodore Proshkovich, Human Perkus, Daniel Rice (alias Daniel Risch), Louis Ristick, Ili (Eli) Shinkewich, Alexander Schatz, Boris Schatz, Maximilian Stocky, Tony Smollock (alias Smollakow), Mike Seegan (alias Michael Seegunoff), Michael Sawicki, August Schmidt (alias William Lauwa), Harry Skochuk, Tom (Foma) or Tommie Turka, Peter Urgel, Stephen Uschenna (Stephen Uschenia), John Veremenuk, Demian Vlasoff or John Vlasloff, Nikolai Vizeroff, Nicholas Wasilleff, Harry Wardner, Peter Voronenko (J. Waschenko), John Yarmola, Nikita Safronoff (Necita Zafronia), Peter Zorin, Vincent Martzin, Alexander Derkaci.

My information is that most of the citizens of the United States charged with plotting the overthrow of the Government are of this class.

Here let me make it plain that my remarks do not apply to the worthy people of nearly all European races who came among us and became Americans and have contributed much to American life. I am not talking about such men any more than about other good Americans.

America could do no wiser thing than to stop immigration, for the present at least; but it will not be easily stopped. The talk of stopping all immigration has been heard for a hundred years, but the number increases at a quickening rate.

In the 10-year period from 1820 to 1830 foreign immigrants numbered 151,824, which was 1 immigrant during that 10-year period for every 84 persons within the United States at the end of that period.

The next 10 years brought 599,125, 1 immigrant to every 23 people in the country at the end of that 10-year period.

Jumping 30 years to the period extending from 1870 to 1880, we find 2,812,191 immigrants, which was 1 immigrant to every 17 persons in the Nation at the end of that period.

Jumping again to the 10 years between 1900 and 1910, we see 8,795,386 aliens coming, which was 1 to every 11 persons in the country at the end of that period.

These figures do not mean that there was only 1 immigrant to 11 persons in the country in 1910, but 1 in every 11 had come during the preceding 10 years—many new millions added to many millions already here. There were fluctuations in the tide, but the rate of their coming increased by leaps, absolutely, and in proportion to the population.

Enough people want to come to America now to overwhelm us. Europe could easily double our population in a decade, making it much less than one-half American. The Old World Continents could easily empty on us a flood which would drown the life of America in a generation. They threaten to do it, and conditions favor it. It is stated that we are much closer to the Old World than we were a few years ago, which is true for purposes of knowledge, communication, travel, and immigration. The narrowing of the Atlantic for acquaintance and travel and business also makes these attractive shores better known and nearer to the millions who are trying to escape the wretchedness on the other side. Where thousands crossed in one year 90 years ago millions crossed annually 10 years ago, and the rate threatens to quicken still more.

The sense of self-preservation, the intuition of the American people has prompted them with more or less urgency for many years to protect themselves from this danger. During the past 25 years this alarm has quickened, and if America had had its will it would have protected itself.

Our Presidents have not usually been in sympathy with the views of the people on this subject, and have repeatedly used the veto power to prevent them from giving expression to what they have repeatedly tried to say for themselves and their posterity. In 1879 President Hayes vetoed the first Chinese exclusion act. (2 I. C. R., 580.) In 1882 President Arthur vetoed an act suspending Chinese immigration for a period of 20 years. (2 I. C. R., 581.) On March 3, 1897, President Cleveland vetoed an immigration act excluding illiterates. (2 I. C. R., 573.) President Taft vetoed an immigration bill in 1913 containing a restriction against the admission of illiterates. (P. 101, RECORD, special session, 59th Cong.) In 1917 President Wilson vetoed an act excluding illiterates, but Congress passed it over his veto.

The difficulty of getting restrictive measures enacted is only a part of the trouble. It has been hard to get our immigration and naturalization laws enforced. Separate States first encountered the opposition in their efforts to protect themselves. After many years of struggle with European-owned shipping interests the States were defeated in the courts and gave up the struggle. In 1824 New York enacted a self-protective, restrictive measure, which alien shipowners disregarded and resisted in the courts. A divided court, for the time being, upheld the law. (50 Pet., 102.) In 1837 Massachusetts enacted two kindred measures, which were bitterly contested by foreign shipping interests and the laws nullified. (7 How., 283; U. S. Sup.) California, Louisiana, and several other States enacted similar laws, but European shipping interests disregarded them and fought them in the courts until the United States Supreme Court, in Ninety-second United States, page 259, held them unconstitutional and left Congress as the only power to deal with this all-important subject.

The history of the dealings of Congress with immigration is the record of difficulties caused by shipowners, contract-labor importers, and other obstructions embarrassing all efforts to protect the country against incoming criminals, prostitutes, paupers, and anarchists.

Before 1820 no record was kept of immigration and no regulation of any kind was attempted. During the first 50 years after 1819 the Nation did nothing toward restriction, but did attempt to prohibit shipowners from crowding poor wretches together like hogs or cattle in the insanitary, inhuman manner practiced by them, which caused degradation, disease, and thousands of deaths among them.

I read from volume 2 of the report of the United States Immigration Commission, page 580, which I cite as "I. C. R.":

Prior to the year 1819 there were no United States laws governing or regulating ocean passenger traffic. * * * As a result abuses were permitted and practiced on transporting vessels that caused distress, disease, and death, especially among immigrants bound for America. (2 I. C. R., 589.)

Further, the fact that the protection given by the law—

* * * was inadequate, is shown by the gruesome records of the steerage experiences in those days. (2 I. C. R., 591.)

From the beginning of the movement of population from Europe to the New World suffering and death were common on immigrant ships. Among the earlier instances recorded was that of 3,000 Palatines forwarded * * * by England to New York, 470 of whom died on the voyage and 250 soon after their arrival of ship fever. There is also a gruesome account * * * of experiences on a ship which sailed in 1731 for America from Rotterdam with 156 immigrants. She was bound for Philadelphia via Falmouth. When she had been at sea eight weeks the passengers were put on short allowance, and during the last five weeks of their journey were unable to obtain bread. Finally they were paying 18 pence for a rat and 6 pence for a mouse. (2 I. C. R., 589.)

Upon the increased demand for transportation to the United States following the close of the second war with England, many vessels which had originally been constructed solely for the purpose of transporting freight were hurriedly transposed into emigrant ships, that they might enjoy some of the profits of a business that had become lucrative. This, with the fact that excessive overcrowding had been practiced on all vessels, rendered the condition of emigrants at sea almost unbearable. (2 I. C. R., 590.)

The potato famine in Ireland occurred in 1847, and in consequence there was a great increase in emigration from that country. (2 I. C. R., 591.)

Famine-stricken Ireland was also fever-ridden; * * * the disease was carried aboard ship, where in the overcrowded and poorly ventilated steerage quarters thousands died of ship fever and thousands more survived the voyage, only to die after landing.

Thousands of Irish and other British emigrants died during the voyage to Canada, and at Grasse Island, near Quebec, where the Canadian quarantine station was located, as many as 7,000 emigrants perished from ship fever and cholera in 1847 alone. (2 I. C. R., 592.)

In 1819, 1847, and 1855 laws were passed by Congress to limit crowding and prevent the starving of immigrants, but these were opposed, avoided, and disregarded by the shipping concerns. The Immigration Commission says:

It may well be questioned whether the condition surrounding the transportation of emigrant passengers had been improved by any of these laws. (2 I. C. R., 593.)

Slave ships, moved by human greed, brought wretched humans from Africa to sell into slavery in America, where they embroiled the country in years of strife, caused an awful war, and yet present a dangerous race problem. Immigrant ships, for gain, have all along been the chief offenders against America and against humanity. Many of them have been German, many have been British, and some have been American. Their desire for profits is now an embarrassment to the enactment of proper legislation and the enforcement of such as we have.

The greed of steamship companies, the greed of cities, the greed of men in America who want to make money off of immigrants, and the greed of those who want cheap labor is at the root of most of the difficulty in enacting and properly enforcing immigration laws. Each class of employers wants cheap labor. Some want tailors; others want railroad hands; many want factory hands; others, though comparatively few, want them for farm help. Some want Italians; some want Russians for mine work; some want Mexicans, mainly for railroad work. All these say, "Keep out undesirables," by which most of them mean the kind the other people want to work—not the kind they want to work.

The acts of 1882 and 1885 excluded criminals, idiots, lunatics, persons liable to become a public charge, and contract laborers. In 1888 this House passed a resolution reciting that the law prohibiting the admission of contract laborers, paupers, and convicts was being extensively evaded, and authorized the appointment of a committee to investigate the subject. (2 I. C. R., 569.) The committee found that thousands were unlawfully admitted every year, and that serious danger resulted. (2 I. C. R., 570.) In 1890 a joint committee of the House and Senate found that the contract-labor law was "generally evaded." (2 I. C. R., 571.) In 1893 another joint committee of the House and Senate found that undesirable aliens not entitled to admission were being admitted, and that the so-called examination of immigrants at ports of entry "appeared to be more of a farce than a reality." (2 I. C. R., 572.) In 1907 the National Immigration Commission was created, which consisted of nine members, three appointed by the Repub-

lican President, three by the Republican President of the Senate, and three by the Republican Speaker of this House. Among its members were Senators LONGE and DILLINGHAM, Hon. John Burnett, long an honored Member of this House, and men of like character. It was overwhelmingly Republican, and is subject to no charge of unfairness against the Republican Party. The commission made the most exhaustive study of the industrial features of immigration in America, conditions in Europe causing immigration, and the enforcement of our immigration laws. Its work covered a period of more than three years, and is reported in some 40 volumes, its conclusion being largely covered in volumes 1 and 2 and its hearings in the remainder. I am citing these reports as Immigration Commission Reports, preceded by the number of the volume and followed by the page. This commission found that at that time feeble-minded, insane, and diseased persons were being fairly well excluded, but says:

No adequate means have been adopted for preventing the immigration of criminals, prostitutes, and other morally undesirable aliens. * * * In spite of the stringent law, criminals or moral defectives of any class, provided they pass the medical examination, can usually embark at European ports and enter the United States without much danger of detection. (1 I. C. R., 27.)

The report further says that, because of the rigidity of the law, few actual contract laborers are admitted, but—

There are annually admitted a very large number who come in response to indirect assurance that employment awaits them. In the main, these assurances are contained in letters from persons already in this country, who advise their relatives or friends at home that if they will come to the United States they will find work awaiting them. On the other hand, it is clear that there is a large induced immigration, due to labor agents in this country, who, independently or in cooperation with agents in Europe, operate practically without restriction. (1 I. C. R., 29.)

In the same report, volume 1, page 25, it is said:

Comparatively few immigrants come without some reasonably definite assurance that employment awaits them, and it is probable that as a rule they know the nature of that employment and the rate of wages. A large number of immigrants are induced to come by quasi labor agents in this country, who combine the business of supplying laborers to large employers and contractors with the so-called immigrant banking business and the selling of steamship tickets. (1 I. C. R., 25.)

In the records of this House and reports of committees and joint committees and commissions created by both Houses I have not found one statement that these laws were generally and effectually enforced. Again and again in the record of a period of more than 40 years is found complaint of the violations or evasions of contract-labor laws.

Gentlemen, the evidence taken upon hearings of the Committee on Immigration and Naturalization, and an actual inspection of the work of admitting immigrants at Ellis Island in New York Harbor, have fully convinced me that your restrictions against the admission of undesirable immigration are not now being properly enforced.

The Bureau of Immigration is not, in my judgment, chargeable with the failure. The whole system is inadequate to a proper enforcement of the law. The force, arrangement, and system do not evidence an understanding of the problem or a purpose on the part of Congress and the United States Government to deal effectively with it. The land boundaries are not properly guarded.

As a member of a subcommittee, I saw thousands of aliens marching past a few inspectors while the ship moved toward the pier in New York port, through which three-fourths of our immigrants come. Any observer who will visit Ellis Island and one or two immigrant ships will see that a real and effective enforcement of the regulations provided by law is not being accomplished. The acting superintendent at New York admitted to the committee, in answer to questions propounded by me, that the so-called inspection is a farce. At a future time I hope to present this phase of the question more explicitly and fully.

The number coming is, during these days, increasing. Conditions in Europe favor it. I noticed recently that 8,000 were admitted in one day in New York, and the shiploads come daily.

It is very fitting that the big employers who want immigrants for their cheap labor, and steamship companies who want their passage money, should be represented by common agents in inducing immigration.

But who are the "large employers" whose demand for cheap labor is supplied by the "labor agents" mentioned? You can not tell so well by looking at the immigrants when they are starting or when they arrive at New York or Boston. But keep your eye on the immigrant until he goes to work, bearing in mind that he usually knew the nature of his employment and the prospective wages before he left Europe. You can tell then who is the "large employer" whose demand is being supplied by the men who are joint labor and steamship-ticket agents.

On page 38 of volume 1 of its report this Republican immigration commission says:

The aliens come from countries where low economic conditions prevail and where conditions of labor are very bad. They were content to accept wages and conditions which the native American and immigrants of the older class had come to regard as unsatisfactory. They were not, as a rule, engaged at lower wages than had been paid to the older workmen for the same class of labor, but their presence in constantly increasing numbers prevented progress among the older wage-earning class, and as a result that class of employees was gradually displaced. (1 I. C. R., 38.)

Again, on page 540 of volume 1 of the same report:

It is hardly open to doubt, however, that the availability of the large supply of recent immigrant labor prevented the increase in wages which otherwise would have resulted during recent years from increased demand for labor. The low standard of the southern and eastern European, his acceptance of a low wage and existing working conditions, his lack of permanent interest in the occupations and community in which he has been employed, his attitude toward labor organizations, his slow assimilation, and his willingness, seemingly, to accept indifferently, without protest, certain wages and conditions of employment have rendered it extremely difficult for the older classes of employees to secure improvements in conditions or advancement in wages since the arrival in considerable numbers of southern and eastern European wage earners. (1 I. C. R., 540-541.)

On page 406 of volume 1 of this report, in explaining a table showing the earnings of the heads of families, it is said:

It is evident from a comparison of the totals in the foregoing tables that the native-born heads of families have a higher range of annual earnings than those of foreign birth. The greater proportion of the former earned yearly between \$400 and \$800, while the greater proportion of the latter earned between \$300 and \$600. (1 I. C. R., 406.)

It was also found that the foreign-born laborer received the lowest wages; that the native-born children of foreign fathers received somewhat better wages; and that the native-born laborers of native parentage received the best. Of the wages of 26,616 wage earners of all races and classes the report says:

It is seen that the average annual earnings of 22,938 foreign-born wage earners * * * were only * * * \$455, as contrasted with average yearly earnings of \$566 for the 2,059 * * * of native birth of foreign father, and of \$666 for 1,454 native-born white wage earners of native fathers. (1 I. C. R., 408.)

In an effort to learn who are the large employers for whom labor agents induce immigrants of the class mentioned to come in millions, let us study the large industries:

A large proportion of the southern and eastern European immigration of the past 25 years have entered the manufacturing and mining industries of the Eastern and Middle Western States. (1 I. C. R., 37.)

IRON AND STEEL MANUFACTURING.

Of the total number of employees in the industry, 57.7 per cent were found to be of foreign birth. * * * Of the total number of iron and steel workers, 28.9 per cent were native born of native father, and 13.4 per cent were of native birth of foreign father. (1 I. C. R., 297.)

SLAUGHTERING AND MEAT PACKING.

It was found that 60.7 per cent of the total number of wage earners in the industry were of foreign birth. * * * Of all employees, 24.8 per cent were of native birth and of native father, and 14.5 were native born of foreign father. (1 I. C. R., 298.)

BITUMINOUS COAL MINING.

Of the total number of employees, 61.9 per cent were of foreign birth; 9.5 per cent were of native birth, but of foreign father; and 28.5 per cent were native-born persons of native father. (1 I. C. R., 300.)

GLASS MANUFACTURING.

Of the total number of employees, 39.3 per cent were of foreign birth, 18.4 per cent were of native birth but of foreign father. (1 I. C. R., 301.)

WOOLEN AND WORSTED MANUFACTURING.

Of the total number of employees, 61.9 per cent were of foreign birth, 24.4 per cent were of native birth of foreign father. (1 I. C. R., 302.)

COTTON GOODS MANUFACTURING.

Of the total number of employees, 67.7 per cent were of foreign birth, 21.8 per cent were of native birth but of foreign father, and 9.4 per cent were of native birth of native father. (1 I. C. R., 304.)

The first employees of the New England cotton mills were secured almost exclusively from the farm and village population immediately adjacent to the early cotton goods manufacturing centers. (1 I. C. R., 507.)

Since the year 1885, and especially during the past 15 years, the operatives of the cotton mills have been mainly recruited from the races of southern and eastern Europe and from the Orient. (1 I. C. R., 511.)

The Americans, who formerly composed the bulk of the cotton-mill operatives in the North Atlantic States, at the present time form only about one-tenth of the total number of employees in the cotton mills. * * * If persons native born of foreign father be added to this pure American stock, or those native born of native father, the total number of native-born operatives amounts to about three-tenths of the operating forces of the North Atlantic mills. The remaining part of the operatives, or about seven-tenths, is composed of employees of foreign birth. (1 I. C. R., 511.)

CLOTHING MANUFACTURING.

Of the total number of employees in the industry, 72.2 per cent were of foreign birth, 22.4 per cent were * * * native born of foreign father, and only 5.3 per cent were native born of native father. (1 I. C. R., 305.)

FURNITURE MANUFACTURING.

Of the total number of employees, 59.1 per cent were of foreign birth, while 19.6 per cent were of native birth but of foreign father, and 21.2 per cent were native born of native father. (1 I. C. R., 307.)

LEATHER TANNING, CURING, AND FINISHING.

Of the total number of employees, 67 per cent were of foreign birth, 15.9 per cent were of native birth but of foreign father, and 11.4 per cent were native born of native father. (1 I. C. R., 309.)

OIL REFINING.

Of the total number of employees, 66.7 per cent were of foreign birth, 21.5 per cent were of native birth but of foreign father, and only 11.8 per cent were native born of native father. (1 I. C. R., 311.)

SUGAR REFINING.

Of the total number of employees, 85.3 per cent were of foreign birth, while 8.4 per cent were of native birth but of foreign father, and 6.3 per cent were native born of native father. (1 I. C. R., 312.)

In 1913 President Taft vetoed a bill passed by Congress to restrict and reduce immigration, and said in his veto message that he did so for the reason given in the accompanying letter of his Secretary of Commerce and Labor. Among the reasons given by his Secretary, Mr. Nagle, in the attached letter is the following:

We need labor in this country, and the natives are unwilling to do the work which the aliens come to do. (RECORD, Feb. 14, 1913, 63d Cong., 3d sess., p. 3156; Senate Doc. 1087.)

I have just shown what kind of work aliens come to do. I have also shown who are the "large employers" whose labor demands are being supplied by labor agents and steamship companies.

I call your especial attention to the fact that all immigrants gradually crowd out native Americans, and that new immigrants crowd out old immigrants.

On these undisputed facts, I base the following suggestions:

First. The big employers whom the labor agents are supplying with labor are the big protected industries, such as the cotton, worsted, clothing, steel, and coal producers.

Second. While these big concerns have sent our Republican friends to the people to talk of protection for American labor, in order to raise the prices of their goods, they have sent their labor brokers to get the lowest type of cheap European labor to hold down wages and living conditions and drive American labor out of the great protected industries.

Third. If the labor people vote for such a program as this, they will create in the minds of their fellow Americans a deep fear that labor does not know enough or has not vigor enough to take care of its own legitimate interests.

It will be noted that the highest figures for incoming immigrants were for the years beginning in 1903, when Republican tariff laws were in force, and continued until 1914, soon after the Underwood Act took effect, and that the Democrats, with some patriotic Republican help, were the first to enact a law restricting immigration by the exclusion of illiterates.

Another interesting and highly important consideration is the attitude of organized labor toward this incoming throng. First, the report of the Immigration Commission, volume 1, page 38, shows that 10 years ago these newcomers did not merge into the labor organizations easily, nor cooperate with them, but competed for their employment on terms unsatisfactory to American labor. I am informed that American labor organizations of the most pronounced American type did not at first take favorably to having this ignorant and somewhat degraded mass drawn into their organizations, and at first excluded them; that later, when they saw these new millions of incoming foreigners ready to take their places in the mines and factories; that when they talked to their employers of better pay and better conditions they saw the foreign throng waiting for their work, and were thereby forced to take them into their organizations; that after being forced to take them in or be completely displaced, they now find them gaining the ascendancy in numbers, and often giving an irresponsible and radical character to the organizations which they are capturing, while their American brothers find it necessary to cooperate with them, or acquiesce in their radical tendencies, rather than lose all touch with them and be crowded out of the industries of the country. From this bad part of the foreign element comes much that causes American labor brotherhoods to be accused of contract breaking and radicalism.

What are Americans in the unions to do? Work with them as best they can, and hold on to their own jobs, or give up the unions and the work to them and try to meet their foreign millions in unequal competition for a place to toil? If the unions are surrendered to them, they will go to worse excess. Americans of the laboring classes in the sections where these men have come have been placed in a perilous position by their coming. Their fellow Americans should recognize it and give them such hearing and recognition as will enable them to get what is right and increase the hold of Americans upon American labor. Laboring people should oppose radicalism, help arrest immigration, and take less seriously the Republican talk about protecting American wages.

Yet another suggestion arises from these facts for your consideration. Just now your committee is besieged with appeals from industrial employers not to close the door against incoming labor. This fact, considered with the other facts, should advise American labor that these people are still to be brought here to take their places. The interests of labor require that it be protected from the importation of an endless supply of European pauper labor.

The public, the millions of Americans, are entitled to have their country protected from Europeanization by the importation of this un-Americanized European mass.

What are employers thinking? Do they realize that the worst, most radical element is now found in the bad portions of the foreign element? Will they replace each relay of employees with another still less American, still more infected with the virus of socialism, radicalism, and anarchy; still less subject to the appeal of order and Americanism? At this rate how long will any property be protected, any order maintained, any cherished American institution be perpetuated?

Industry may pile its present profits higher by such a course, but it is surely making provision for the destruction of the very property which industry would accumulate.

Labor, the general American public, and employers themselves, if moved by enlightened self-interest, will join in building barriers against that which will injure and eventually ruin all.

That vast masses of them are not becoming good Americans is known to everyone who has observed them or the effect of their presence. They are having the rights of citizenship bestowed upon them as they move in herds through the court rooms. As members of a subcommittee of two, assigned to that, I and the gentleman from Louisiana [Mr. Wilson] sat through an entire daily session with one of the New York City judges while sitting as a court of naturalization. First, let me say that the judge seemed conscientious and capable; I have no criticism to make of any clerk, inspector, or officer of the Government whose work I observed. We entered the room a few minutes before the judge and occupied seats at his desk. The room was then jammed full of aliens, not one of whom I heard at any time pronounce his name so that I could understand it. The room was so full of them and their witnesses that no effort was made to seat them all. I was told that there was another room full waiting to enter as soon as there was space for them. When the judge entered, the procession was formed and moved under the direction of policemen in much the same manner as an officer controls traffic at a busy street crossing. Each alien waiting to be made a citizen, with few exceptions, was accompanied by two witnesses. As that procession started past the judge, I soon decided that the applicant was being examined as to the legal requirements, and his two witnesses heard, and the oath administered to him at the rate of one case a minute or faster—not one witness a minute, but the applicant and the two witnesses heard and the oath of allegiance administered in one minute. Looking at my watch, I carefully counted the number of cases disposed of in five minutes and found the number to be 10. Doubting the accuracy of that count, I kept my watch before me and made a score mark as each case was disposed of. During that five minutes eight cases were heard and disposed of. In 90 minutes 125 cases were heard, which included the examination of 125 aliens and substantially 250 witnesses. In 90 minutes 375 people had given testimony, interspersed with a few remarks by the judge and officers, and many such expressions as, "That's all!" "Step this way!" "Step lively!" from policemen, as they rushed the herd by the court. An average of less than one-quarter of a minute—15 seconds—was consumed in examining each applicant and witness. An officer read the oath of allegiance in a hurried, muffled whisper while the witnesses were marching past the judge. Such is the manner of making United States citizens of people whose efforts to speak English few Americans or none could understand, and whose answers about America and its Government would shame an average 6-year-old American child.

Mr. DONOVAN. Mr. Chairman, will the gentleman yield?

Mr. BOX. Yes.

Mr. DONOVAN. There is no question but that the requirements of the Government were complied with in these instances, is there?

Mr. BOX. No very serious contention could be made that they were doing it.

Mr. DONOVAN. That they were or were not trying to do it.

Mr. BOX. Understand, I appreciate the environment and difficulty up there, and I will join with my committee in doing anything I can to help remove the obstacles; and I want to

make plain, as I tried to do a moment ago, that I am not reflecting on any man.

Mr. DONOVAN. The point I was making was this. I came from a New England city, as a member of the New England bar, to the New York bar. My first impression when I went into a New York court was that the procedure was so unusual to what I was accustomed to in New England I doubted its efficiency, but after I became a resident of New York and saw the great volume of business and the great dispatch that had to be employed and learned that real results were obtained just as good as in New England, I then wondered why it was not just as good as the New England practice.

Mr. BOX. I will say this: The dispatch was there. [Laughter and applause.] They had policemen there and their main words were "Step lively," "Step quick," "Come this way." They heard a man's testimony and did not ask 1 in 10 whether he was an anarchist; they heard his witnesses and swore him to allegiance to that flag, in a muffled whisper, while his witnesses marched past the court.

In the same farcical manner are examinations made of shiploads of aliens on the ships in the harbor when about to be admitted to America. Of course the acting superintendent had to admit to one who saw it that it was a farce, as he did to me.

This claptrap talk about Americanism amounts to nothing. The question is whether a man really wants America to be preserved for Americans. If he is the right kind of an American, he is generous and brave, but at the same time he believes in providing for his own household. I have not very much respect for the man whose patriotism is so thin or whose allegiance is so divided that he has to look two ways—try to please two masters—when he considers questions affecting the welfare of his country. [Applause.]

The American people should look into the question of the number being admitted, the question of their distribution, and the manner in which they are being made American citizens. [Applause.]

Gentlemen, this problem needs the thoughtful, practical attention of Congress and the country. I am making this statement to bring this serious situation before you and the people. When I became a Member of this body I resolved to do something more than talk about this momentous question, with its bearing upon us and our children who are to succeed us. I sought and obtained a place on the committee which has this subject in charge and have attended every meeting of the committee. As a member of the subcommittee I spent several days in New York, the port through which most of these immigrants enter the country, studying the problem there, and seeking to provide a remedy for it. I shall continue to give my best thought, attention, and labor to it, and urge upon the committee, upon Congress, and upon the country such measures as will save our country from threatened ruin, by the changing of America from a home for Americans to a Babylon of strange voices, strange faces, strange un-American ways, a place from which the spirit of America has taken its departure—another Europe, another Orient. May the God of Nations save us and our children from such a calamity. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. PORTER. Mr. Chairman, I yield 10 minutes to the gentleman from Kansas [Mr. LITTLE].

Mr. LITTLE. Mr. Chairman, as the only Member of either branch of this Congress who has ever been employed in the Diplomatic Service of his country, I always take an active interest in this Diplomatic and Consular bill. In view of the part our Government is taking in the affairs of the world the four hours granted for general debate on this bill could be well employed in discussing the bill. When Cleveland assimilated Hawaii, 25 years ago, Cherif Pasha, first secretary of foreign affairs for Egypt, said to me, "Your country is going into politics." He meant world politics. Since we have embarked in the world's affairs on a big scale, this Congress should give more serious care to this bill. The State Department does not give much thought to it.

Glancing at the bill, on page 2 I see something that is worthy of a moment's consideration from the committee. We send these ministers to foreign countries, and occasionally we find a little country where we can not afford to send a minister, and we appoint a man to represent two countries. Heretofore, last year and before, I have had occasion to call attention to some of the idiosyncrasies of the service, and said to the committee and the State Department what might be remedied. My suggestions got no consideration in the House, but when this foreign bill came here for conference they were remedied. The Senate had fixed most of them, and I found them in the bill

after it came back from conference. I want to throw out one or two suggestions now in the hope that the Senate will get at them or perhaps the committee will make the needed changes here.

We have an ambassador to Belgium and a minister to the Netherlands, and in this bill the little State of Luxemburg is tacked onto the jurisdiction of the Netherlands minister. The territory of Belgium lies between Luxemburg and the Netherlands. If Luxemburg has to be attached to some minister's duties, it should be attached to the duties of the fellow that goes to Belgium. His domicile is immediately adjacent to Luxemburg. The minister to Holland can not go directly to Luxemburg except by passing through Belgium. The Belgian minister gets \$17,500 a year, and the Netherlands man gets only \$12,000, and if there is not to be any extra man, let the \$17,500 man do the extra work. Luxemburg should go with Belgium.

I find the minister to Greece carries the burden of Montenegro. That country immediately adjoins Serbia, and the people speak the same tongue. There is an intervening country between Greece and Montenegro, a great mountain country, difficult to pass through, and a long distance away. If you are going to attach Montenegro to the duties of another minister, as I suggested two years ago, you ought to give it to the minister to Serbia, the one immediately adjacent. Those two countries are entirely alike, and the work is the same in both. My idea is you ought to apply the rule of common sense to the matter, just as everybody would except a diplomat. I throw out these two suggestions now in the hope the change will be made.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. LITTLE. I will.

Mr. GREEN of Iowa. The gentleman is aware, of course, that the Paris conference is disposing of these people according to its own sweet will?

Mr. LITTLE. I can speak of it, can I not, even if that is true?

Mr. GREEN of Iowa. Oh, yes.

Mr. LITTLE. For a moment I am going to take the diplomat's attitude, and I take it from the State Department's view, that is a sensible one.

I read here:

Agent and consul general at Cairo, \$6,500.

This man is not agent and consul general at Cairo. He is the minister to Egypt. His dominion and power extend all over Egypt, 2,000 miles up the Nile, and across the Red Sea to Jeddah, the seaport of Mecca. He holds a place of considerable responsibility. On one occasion I was addressing the Sultan, on an official occasion, and I spoke of the agent at Cairo. Those diplomats are very jealous of their prerogatives. The wife of one of my colleagues said to me, "I notice that you are appointed at Cairo, not to the rest of the country." I was a little embarrassed. The American representative there should be as well accredited as his colleagues. You would assist the man who has that job and make it a little easier and nicer for him if instead of saying "agent and consul general to Cairo" you would say "agent and consul general to Egypt." It would not cost a cent, and it would put his office in a position of being more highly respected there. Cromer, my colleague in 1892 and 1893, was agent and consul general, too, but his country gave him the rank in their service of minister resident though he was agent to Egypt.

Now, I would be glad if some member of the committee would tell us how some of these countries got in here in this bill, although it is all right with me. I see here Czechoslovakia and Poland have ministers. I suggested two years ago that they ought to be put in here, and the committee told me that the State Department had informed them that it could not be done because there was no treaty with them, though they had Austria-Hungary, with whom we were at war, in the bill—

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. Yes.

Mr. BLANTON. It was done on the gentleman's suggestion. [Laughter.]

Mr. LITTLE. I thank you. It seems I am a greater power than I thought I was. [Laughter.]

Mr. PORTER. I will say to the gentleman that the independence of Poland and Czechoslovakia was recognized in January of last year.

Mr. LITTLE. Who recognized them?

Mr. PORTER. The President of the United States.

Mr. LITTLE. Who runs this Government, anyway? Is it the Congress of the United States who make the laws, or is it the President?

Mr. BLANTON. Will the gentleman yield?

Mr. LITTLE. Yes.

Mr. BLANTON. I would suggest that it is the steering committee. [Laughter.]

Mr. LITTLE. Oh, that is doing very well, so far. I hope it will keep it up. I am glad its ability is recognized by the gentleman. [Laughter.]

These gentlemen down at the State Department, it appears, have now recognized Poland and Czechoslovakia. I am glad of it, but really there ought to be a treaty. Things should not run loosely this way. Congress should take care of such things instead of letting the State Department run wild. But I suggest that we should go a step further. Why do we not recognize some of these other countries, as, for instance, Armenia and Georgia? There are two Christian peoples who stepped of their own accord into this war and declined all offers from the enemy and fought on our side. One hundred and sixty thousand Armenians were engaged in this war on our side. When they were pouring back from the Russian front with the rest of the Russian Army the Armenians came by train to Baku, from Russia, and could get no farther, and found themselves surrounded by a horde of Moslem Tartars. The Armenian Bagratouni, who had been Kerensky's chief of staff, organized them and took possession of Baku. They fought for several weeks and conquered the Turks and the Tartars there, and held Baku for months and months. We did not know—nobody knew—what had happened at the time. A great victory had been won for the Allies. Central Asia had been taken for the Allies.

The leader in that movement, Gen. Bagratouni, has been here for weeks and no hand extended to welcome him. This one-legged hero of the Caspian should have recognition here, and his nation should have recognition. How does it happen that Armenia and Georgia are not recognized as well as Poland and the Czechs? We have cheered in our galleries several splendid soldiers of European nations, none of them more worthy of our applause than the Armenian. He is as much entitled to recognition as any other hero of the war. There is Gen. Andranik, the mountain chieftain, who fought the Turks to a standstill and actually won Armenia's independence on the field of battle. It was agreed that Armenia's existence should be recognized by the Turks themselves. Why does not our Government recognize it?

Andranik has a record not surpassed by any in all the stories of forlorn hopes for freedom. There is a splendid chance now to send a minister to Armenia without it costing us a cent. There is no minister or ambassador to Turkey provided for or mentioned here. That is a very funny feature in this bill. But I turn over the pages and I see that there is \$26,200 to be expended on the Turkish Embassy for secretaries and assistants and clerks and students—\$26,200 appropriated here, and no minister or ambassador. Let some one explain that if he can. If you have not an ambassador, how are you going to have an embassy? There should not be any minister to Turkey unless there is one to Armenia. We owe recognition to them more than we do to the Turks. What I suggest ought to be done is to amend this bill so that you will have a minister to Armenia, Georgia, and Turkey. Why \$26,200 for clerks and students in Constantinople?

Mr. GREEN of Iowa. Very desirable places for deserving Democrats.

Mr. LITTLE. But their time is so short. Establish a minister at Tiflis, to Armenia, Georgia, and Turkey. You can take this \$26,200 and put them all in, and it will not cost you a cent. Neither will the advice I am giving you, I will say to the committee. [Laughter.]

If the State Department or the President could recognize Poland and Czechoslovakia, as I understand it can and has, let it also recognize Armenia and Georgia. They have at Tiflis almost as splendid a city as this is, with beautiful palaces and noble buildings. They have big newspapers, almost as big as those here. They have a great city to send a minister to. That is my suggestion. Send a minister to Armenia and Georgia and Turkey; put them in the bill. When Allenby beat the Turks below Damascus 8,000 Armenian veterans were with him and 100,000 Turks were away fighting Armenians toward Erzerum, where Andranik had become one of the Orient's resplendent and chivalric figures, a nation's hero. Let us welcome him and Bagratouni by according Armenia recognition and a minister. Is this a Christian Nation? Then let us recognize in this bill the oldest Christian people, over whom the star of Bethlehem swung sixteen hundred years ago. If the President can recognize one nation, we can appropriate the money for another. [Applause.]

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. LITTLE. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. PORTER. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. BURKE].

The CHAIRMAN. The gentleman from Pennsylvania is recognized for five minutes.

Mr. BURKE. Mr. Chairman, I desire to say a word in answer to the remark of the gentleman from New York [Mr. HUSTED], that "if sections 1 and 2 were taken out of the sedition bill no man with red blood in his veins would dare vote against the bill."

As a member of organized labor, I want to say that the four railroad brotherhoods and the American Federation of Labor denounce anti-Americanism and anarchy and are as loyal to this American Government as any Member of Congress. I want to declare myself, first, as an American citizen who still believes in and reveres the Constitution of the United States; and, second, as an American citizen who believes in the wisdom and the justice and the divine inspiration of those greatest of all Americans, the fathers of our country, the creators of American liberty, when they wrote into that covenant of liberty, the Constitution of the United States, these words:

Congress shall make no law . . . abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Such bills as these are an insult to the intelligence and loyalty of the American people. There is and there can be no question that the masses of the American people are for their country first, last, and all the time; [applause] that they would willingly and generously shed their lifeblood in defense of that country. [Applause.] This has been demonstrated beyond all shadow of doubt in the World War just ended, when the noblest youth of America crossed the ocean to bear arms in defense of American principles of truth, liberty, and justice; when American families gave up their loved ones with a spirit of patriotism bordering on the divine.

In every village, city, and State of the Union there are broken hearts and saddened homes on account of the ravages of the war, and it is from these homes and the hearts of these people that the strongest cry comes for the survival of democracy in this land.

We hear talk of discontent existing in the country, and we actually know there is discontent and unrest.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. BURKE. Would the gentleman let me have a few minutes more?

Mr. PORTER. Mr. Chairman, I yield to the gentleman five minutes more.

The CHAIRMAN. The gentleman is recognized for five minutes more.

Mr. BURKE. But laws such as this will only add fuel to the flames, for I want to say right here that the discontent existing is a natural discontent brought about by the proposal of laws and the enactment of laws which encroached upon the constitutional rights of the people of America. If there is one thing the people of this country love, it is their sense of American freedom; if there is one thing they guard with jealousy, it is their constitutional rights, and the American people are not going to tamely submit to the taking away of those rights.

Burdened down with the high cost of living until the wage earner to-day can not make ends meet, realizing that an unscrupulous system of profiteering is prevalent in the country, and that nothing is being done to bring the profiteers to justice or to lower the cost of living, the people naturally and rightfully voice their discontent and disapproval.

According to the press report of the country, during the period of war 17,000 millionaires were created, which means \$17,000,000,000 more of private wealth garnered out of a Nation's woe and a people's misery. If Congress would turn its guns upon these newly made millionaires and endeavor to find out just how they made the millions, and let the common people of the Nation alone for a little while, I think some of the unrest would disappear, for the people would think that possibly there was some hope of them getting a "square deal."

I am opposed to the sedition bill because it is vicious in character, subtle in meaning, and is one of the most damnable schemes ever perpetrated against a free and liberty-loving people. It is a blot upon the Nation. In my opinion, its sole purpose, its one intent, is to hold in subjection the working people, to crush labor, to deny the common people the right of public speech, the right of public assembly, the right to offer protest against any intolerable political or industrial conditions. [Applause.]

Mr. FLOOD. I yield 10 minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, from time to time something has been said of the power exerted over this Congress and over legislation by a party steering committee. I wish my party had a strong steering committee. I am beginning to believe in steering committees to a certain extent; because when I can see the leader of a steering committee crack the whip, and in 15 minutes fill these seats here with 160 Republicans and keep them on the floor for hours to pass a bill in accordance with a prearranged understanding, as was done yesterday afternoon, I begin to believe in that sort of business. And it might not be so bad after all, because the steering committee is composed of Representatives in Congress who are supposed to represent the people of the land. But I am going to tell you of a power that makes the power of the Republican steering committee look like 30 cents. I am going to tell you who is the real dictator of this Congress and of legislation in this land; not the Republican steering committee, if you please, but it is the president of the American Federation of Labor who comes to this Capitol from time to time and who gives orders and who has his orders obeyed.

On last Saturday I called attention on the floor of the House to the fact that the New York papers that morning had told the country that Mr. Gompers had stopped the bringing in of a rule making in order the Graham sedition bill, which had the approval of the Republican steering committee, yet, regardless of such approval, was held up by order of Samuel Gompers. A futile attempt was made to intimidate that something else had stopped it. But in the next morning's paper the facts were made plain to the people of this country, because the statement was then made and sent broadcast over the land by Mr. Samuel Gompers that he opposed this bill and that same must not be passed. Then the public became aware of the fact that it really was Samuel Gompers who was setting aside the action of the Committee on the Judiciary and the Republican steering committee and was holding back this legislation.

Mr. BROWNE. Will the gentleman yield right there?

Mr. BLANTON. I am sorry I can not. I have not the time.

Mr. BROWNE. I want to ask a brief question, whether Attorney General Palmer—

Mr. BLANTON. I refuse to be interrupted, and I ask the Chair not to take this out of my time.

The CHAIRMAN. The gentleman refuses to be interrupted.

Mr. BLANTON. Because I want to tell the gentleman something that possibly he knows but does not publicly admit. Who appeared before the Rules Committee yesterday morning in opposition to this bill? Why, Mr. Samuel Gompers, president of the American Federation of Labor. Mr. Gompers was the chief figure there, backed up by his attorney and his cohorts, and he said he did not want that bill passed. And what did he do? He came with a threat, as usual; a threat to whom? Not to the Congress, because he has already threatened Congress, but to the Republican Party, which controls the passage of legislation here. He told the chairman of the Rules Committee almost in the first breath what the distinguished gentleman from Wisconsin [Mr. BROWNE] told you awhile ago, that in 1798, when the last peace-time sedition bill was passed in this country, he said the old Whig Party passing it was defeated, destroyed, and went out of memory because through punishment it was put out of power by the people of the country, intimating to the Republican Party that if they let this bill go through they would suffer defeat at the hands of 5,000,000 organized members of unions in the country. Did it have any effect? Such orders as he gave could have but one effect. Why, the Washington Times came out immediately and said the sedition bill was buried; that it was dead; and my friend from Kansas [Mr. CAMPBELL], the chairman of this great committee, came out afterwards and said, "Oh, it is because the newspapers of the country do not want the bill." And he intimated that there were some newspapers from my State which did not want it. I will state to the gentleman [Mr. CAMPBELL of Kansas] that he can not name a bona fide, loyal newspaper in Texas that objects to a reasonable, proper antisedition law. I challenge him to do it. The Houston Post, the Dallas News, the Star-Telegram, the Fort Worth Record, the San Antonio Express, the Waco Times-Herald, the Austin papers, the El Paso papers, I challenge him to show that any of such papers as that object to a proper sedition law to stamp out anarchy in our beloved Republic.

Are the Attorney General and the law-enforcing peace officers of this land going to be forced by your action and mine to have bodyguards follow them day after day and night after night to keep them from being assassinated? Why, my friend from Pennsylvania [Mr. BURKE], says what Mr. Gompers said, that

this bill sought to shackle labor. When Mr. Gompers said that the chairman of the committee said, "Mr. Gompers, please turn to the provision in that bill that you claim seeks to shackle labor," and he could not do it. He had to turn to his attorney and let his attorney point out the supposed paragraph. Then he said that it sought to shackle them because it prevented them from using moral force to change the Constitution. Thereupon the distinguished chairman of the Judiciary Committee arose and explained that moral force was not involved in the bill, and that it did not in any way restrain any newspaper, any public speaker, or any individual, unless they advocated the overthrow of this Government by physical force and violence. Does this bill seek to restrain the use of moral force? No. Does it interfere in any way with the constitutional right of free speech and free press? No; it does not. You can not find a loyal newspaper in the land that will ever be hampered or restrained in any way by the provisions of this bill. But should an anarchist paper like Freedom preach anarchy, or preach the overthrow of this Government by physical force and violence, it will reach them, and it ought to reach them, and it ought to hang their editors as high as Haman. And when a public speaker gets upon the rostrum is there anything in this bill that will prevent free speech? Is there anything that will prevent his advocating a change in the Constitution by lawful means? Why, no; unless in the attempt to exercise his constitutional prerogative he seeks to advise the people of the country to use physical force and violence to throw aside their Constitution and to overthrow their Government. Then it does touch them and reaches them. And the dirty scoundrels ought to be reached by law and properly punished. Are you surprised that the anarchists of the country do not want a law against anarchy? Why, law interferes with their business. Are you surprised that murderers do not like a law against murder? Law and punishment interfere with their murdering. My friend from Pennsylvania [Mr. BURKE] frankly says that he is against sedition laws, and intimates that all other union men are against sedition laws, because same might incite trouble with anarchists. Let me ask him, Is he likewise against the law to punish murder? Seditions acts culminate in murder, and no murderer likes the law that punishes the crime of murder. Is he likewise against the law to punish burglary because burglars do not like it? No burglar likes either law or punishment. Is he against the law to punish rape because rapists do not like that law? Is he afraid that such laws may incite murderers, burglars, and rapists to commit crime?

Mr. BURKE. I should like to answer that question.

Mr. BLANTON. I will let you answer it later, but I must use my own time.

Mr. BURKE. All right. I do not want to interrupt the gentleman.

Mr. BLANTON. I would gladly yield to the gentleman, had I the time. Do not take this out of my time. Do you know that it is no longer the money power of the country that elects men to Congress now and men to the legislature and men to the governor's chair? Why, the money power is past. That autocracy is gone and forgotten. The biggest autocracy that exists in this Nation to-day is the autocracy that stopped this sedition bill. Samuel Gompers is the presiding autocrat. There is the autocracy. His is the power that fills public office and makes and unmakes laws just now, because the people have not yet fully awaked. Are you men going to be big enough to vote your sentiments? And with the exception of about five men who hold union-labor cards in this House, your real heart sentiments are the same as my sentiments, and you know it. You have got the same feelings on this matter that I have got. You know that the people of the United States are dominated by an organized class and are not getting a square deal. Are you not brave enough in your representative capacity, in behalf of all the people, to get up here and pass a proper sedition law, and let Mr. Gompers go where I once told him to go when he was sending me orders, which instead of obeying I told him to go to hell.

Mr. BURKE. He did not go, though, did he?

Mr. BLANTON. No; and I do not want him to go there. I hope he does not, but he has no business telling me or any other Congressman what we shall or shall not do, or to threaten us so often. He has no right to make a threat against the Republican Party and make your leaders shake in their shoes. He has no right to come in here and stop legislation needed for the country.

There is a proper mode of changing the Constitution. This bill does not take away from any brother union member of my good friend from Pennsylvania any right to change the Constitution lawfully in accordance with its terms.

The political spokesman on the floor of the House for the Republican Party, the gentleman from Illinois [Mr. RODENBERG], can not camouflage the issue by asserting that the Attorney General has "cold feet." Gen. Palmer personally advised Chairman CAMPBELL that—

A criminal element exists in this country which can not be reached except through a sedition law such as was proposed by him.

The members of the Rules Committee know full well that the bill introduced by Congressman DAVEY was specially prepared by the Attorney General as the legislation needed. With his letter sent to the Rules Committee and read at the hearing yesterday the Attorney General sent a copy of the sedition bill he wanted passed, and urged its prompt passage, and reiterated that he needed it passed to stop anarchy in this country. The people are going to wake up soon and resume mastery. They can not be fooled. They know that it was Samuel Gompers's orders which has stopped this bill, and the people are going to resume electing Congressmen and all other officers before long.

Mr. BURKE. Mr. Chairman, the gentleman from Texas [Mr. BLANTON] in his remarks put a pointed question to me. I should like to answer it.

The CHAIRMAN. The gentleman can not be heard without getting time from one of the gentlemen in control of the time.

Mr. BURKE. I hope the chairman will give me time to answer the question. It will not take long.

The CHAIRMAN. This is out of order.

Mr. PORTER. I yield five minutes to the gentleman from Ohio [Mr. EMERSON].

Mr. EMERSON. Mr. Chairman and gentlemen of the House, when I was home during the holiday vacation I had a letter handed to me in Cleveland by Mr. Charles W. Toland, which I should like to insert in the RECORD. I have always believed that our diplomatic corps and the Navy should be used as much as possible within reason to advance the commerce of this country, and I ask unanimous consent to extend my remarks in the RECORD by inserting this letter.

Mr. WALSH. What is the letter about? Is it about what the gentleman has referred to?

Mr. EMERSON. Yes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The letter is as follows:

CLEVELAND, OHIO, January 5, 1923.

HON. HENRY I. EMERSON, M. C.,
Washington, D. C.

DEAR SIR: We wish to call your attention to the difficulties which our Mr. F. B. Anderson recently experienced in endeavoring to make a business trip to South America. The facts are as follows:

The principal product of our factory is machinery used for pressing oil from coconuts, peanuts, and other oil-bearing seeds. At the present time we have a large foreign trade in the Orient.

It seems that the Central and South American countries are producers of large quantities of oil-bearing seeds from which valuable edible oils can be obtained.

Prior to the war the Germans largely controlled this business. However, the present is the opportune time for the manufacturers in the United States to obtain this South American trade.

With this in view our Mr. F. B. Anderson planned a six months' trip to South America and provided himself with credentials, passports, and other papers. In fact, he visited the Agricultural Department at Washington, with whom we have had extensive relations in the way of running experiments for them at various times on oil-bearing seeds.

Mr. Anderson left New York on November 24 on the steamer *Dracoz* and arrived at San Juan, P. R., November 24. Inasmuch as there are no steamers from Porto Rico to South America, it was necessary for him to reach the island of St. Thomas, at which point the lines of steamers for South America touch.

While both Porto Rico and St. Thomas are now United States possessions, it seems, however, that there are no connections between the two islands. While Mr. Anderson was at San Juan the United States gunboat *Vixen*, which, by the way, is a converted yacht, arrived December 2 from St. Thomas, bringing the admiral and his family for Christmas shopping. Mr. Anderson called on Capt. White, of the *Vixen*, and asked that he and Mrs. Anderson be transported to St. Thomas, and agreed to ride on deck or in any other way they might wish. However, Capt. White absolutely refused to take him, stating that it would be impossible unless he were a Government employee. The *Vixen* returned to St. Thomas in a day or two and came back again with a party of people who wished to be at San Juan while Secretary Baker was there.

Mr. Anderson again asked Capt. White for passage and was again refused. During the conversation he showed his credentials to Capt. White and also explained that he was not on a pleasure trip, and was frankly told by Capt. White that the Navy did not think much of the business man.

The upshot of the matter was that Mr. Anderson was finally obliged to return to New York and is now in Cleveland, and possibly may not be able to get away this season, inasmuch as all the ships going to South America are booked up.

This seems to us to be a very poor policy on the part of the United States Government in not allowing Government vessels to carry people in an emergency of this kind, particularly as the *Vixen* was used as a ferry, and, furthermore, as it took only about six hours to go from San Juan to St. Thomas. The *Vixen* on her trips only carried people who Capt. White claimed were either Government employees or their relatives.

The British consul of San Juan stated that if a British warship came in, he would gladly take Mr. Anderson over to St. Thomas, and further stated that their navy made it a point to assist their people in every way possible, and that they would gladly extend our people the same courtesy.

A Dutch warship came into the harbor while Mr. Anderson was there and offered to take him to the island to which they were destined, but, unfortunately, there was no means of Mr. Anderson getting away from this island for at least 60 days.

We feel, in view of the fact that the Government is urging the people in this country to get foreign trade, that this matter is worthy of investigation, and that Capt. White or his superior officer should be called to account for their attitude, which was certainly unbusinesslike. It has certainly come to a great pass if boats which are paid for by the people and for which the people are taxed can not be used except for carrying naval and Government employees on pleasure expeditions.

Yours, respectfully,

THE V. D. ANDERSON CO.,
A. D. ANDERSON, Secretary.

Mr. PORTER. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MADDEN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 11960, the Consular and Diplomatic appropriation bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. O'CONNELL, for one week, on account of illness.

To Mr. STOLL (at the request of Mr. BYRNES of South Carolina), on account of sickness.

EXTENSION OF REMARKS—RECLAMATION FUND.

Mr. HERNANDEZ. Mr. Speaker, I ask unanimous consent to insert in the RECORD a statement made by the president of the Pecos Water Users' Association, Carlsbad, N. Mex., before the Committee on Ways and Means. It is very interesting, and I think it would be illuminating to some of us.

The SPEAKER. The gentleman from New Mexico asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

Mr. WALSH. How long an article is it? It is costing a good deal of money to print the RECORD these days.

Mr. HERNANDEZ. It is not very long. There are some very interesting statistics in it.

The SPEAKER. Is there objection?

There was no objection.

The article referred to is as follows:

BEFORE THE WAYS AND MEANS COMMITTEE,
HOUSE OF REPRESENTATIVES,
Washington, D. C., January 20, 1920.

STATEMENT IN BEHALF OF \$250,000,000 LOAN TO THE RECLAMATION FUND
MADE BY FRANCIS C. TRACY, PRESIDENT PECOS WATER USERS' ASSOCIATION, CARLSBAD, N. MEX.

Mr. Chairman and gentlemen, we appreciate that the gravest possible responsibility rests upon you, in that you largely control the expenditures and direct the financial policies of the Nation at this most critical period. The spirit of unrest and discontent threatens civilization itself. At a time when increased production alone can sustain the financial structure through the delicate and difficult readjustment period and repair waste and when such increase is absolutely needed to feed and clothe the world, there is a universal slacking up in labor which is leading toward disaster. Patriotism requires us to speed up. Strict economy is necessary, but economy alone will not pay debts or sustain life. It must be subordinated to the higher law of nature—produce and reproduce or perish.

The agricultural program offers such a procedure—a concrete, safe, and sane road toward a gradual reduction of the high cost of living by a steady increase in the production of the necessities of life and a corresponding increase in the population and wealth of the Nation, thus immediately alleviating the unavoidable burdens of taxation in two directions at one time.

Senator WADSWORTH, of New York, recently put the problem briefly and eloquently when he wrote, "The relative decrease in the farming population has become a menace to the Nation. It is as certain that this Government will be forced to take some definite action regarding the settlement of land as it is that the British people will no longer tolerate the ownership of the land of England for shooting preserves. Home hunger is a primal thing. It is the desire to own homes which has brought millions of immigrants to the United States. Home owners are the backbone of a self-governing nation, because necessarily they are self-governing individuals." A constructive national land-settlement program offers a direct cure for Bolshevism, which is the greatest political problem of the day. This problem is acute and demands immediate solution. All those who have home hunger in their hearts must be searched out and those who are competent must be helped upon the land, whether soldiers, sailors, or long-neglected and undigested foreign immigrants. This must be done by private endeavor under Government guidance. This program will lead to solve the agricultural labor problem in every State. If begun immediately it will offer opportunity for labor in self-sustaining, self-feeding effort should any slacking up occur in industry.

The program must be big enough and broad enough to get big results and to interest and focus the best minds of the Nation and thus stimulate private effort upon the same lines. Therefore Congress must initiate and sustain this new enterprise upon the proper scale and scope to arouse and to direct the patriotic effort of the whole Nation toward in-

creased production and active labor along those lines which first laid in the thirteen original States the foundation of this magnificent, wealthy, and powerful Nation. The superstructure has outgrown this foundation, and it is for us here and now to remedy this condition.

It is interesting and suggestive that although a call was made to more States, the 13 most westerly alone were represented in Salt Lake City in November, and their representatives were the first to formulate a plan for the part of the extreme West in this nation-wide land-settlement program, which to them unanimously appears to be the one best adapted to their local conditions. It is necessarily based upon the national reclamation act, adopted in 1902. This plan has to-day been presented to you and affects the 17 so-called reclamation States.

We wish to call your attention to the fact that these States are very large producers of cattle, sheep, wool, alfalfa, cotton, and sugar—all items directly affecting the cost of living in every household in the United States—and they comprise the only large area where the production of all these products can be rapidly and greatly increased. These products, you will note, complement rather than compete with the products of the rain belt, even our cotton being of special long-staple varieties grown only under irrigation. These products even reduce the cost of living to every farmer's family.

We ask for very little present outlay in comparison to the immediate productive results to be obtained by the completion of works long since begun by the Reclamation Service, but discontinued during the war for lack of funds, labor, and material.

A total loan to the reclamation fund (not a direct appropriation) of \$250,000,000 to be pledged at once because of the need of a comprehensive and continuous constructive program, and to avoid all risk of another period of shutdown, waste, and loss, such loan to be made in installments as needed and to be appropriated for yearly expenditure at the discretion of Congress in such amounts as will be most efficient, probably never more than \$20,000,000 in any one year.

The yearly appropriation actually required may even probably be reduced by receipts from the sale of public lands and from coal, oil, and gas leases, so as to materially extend the relief period, but it must be held available for time of need.

If desired in the future still further to reduce the annual loan installments from the Treasury, this can be done by establishing a policy of grazing leases or licenses upon the public domain within these States, proceeds of which in part could go to the reclamation fund, or those grazing lands themselves might be turned over to the States to be administered as they see fit, certain proceeds therefrom to go to that fund.

Some such policy of range control and range improvement must soon be established if meat production is to be sustained and increased in the great live-stock breeding area of the Southwest, which now furnishes and must continue to furnish the larger portion of the feeders for the corn belt and the grass lands of the Central States and the North. Three successive years of drought having sadly depreciated the range as well as decreased the herds strongly emphasize this feature, as well as the need for increased alfalfa production. The price of alfalfa in the Southwest has advanced from \$8 to \$35 and \$40 per ton f. o. b. cars under the present conditions.

Should this policy be inaugurated it may well be that this union of the 13 States of the far West and their leadership will result in a new birth of national consciousness, a renewal of national energy, and a new era of national growth second only to that inaugurated by the 13 Eastern States in 1776. Gentlemen, we ask your assistance and your cooperation, as we believe, upon a thoroughly sound basis.

In behalf of New Mexico I append some statistics to support our argument and also to sustain the position that because we have been now working nearly 20 years under a definite Federal reclamation program, which has largely influenced our State irrigation laws and practice, the resulting legal, financial, and practical agricultural and irrigation ramifications are such that all of our greater irrigation problems, and many of the smaller, are so interdependent with Federal interests that we absolutely can not move alone.

New Mexico irrigation statistics.

Total area of New Mexico	acres	78,485,760
Irrigated area (three-fourths of 1 per cent)	do	637,215
Population of the State		450,000
Population of irrigated area (66½ per cent)		300,000
Annual production irrigated area		\$25,488,600
Total bank deposits in irrigated area		\$30,494,000
Total assessed valuation in State		\$375,000,000
Assessed valuation of irrigated area		\$38,500,000
Area under existing canals to be made available by increased storage chiefly by reclamation funds	acres	150,000
Increase available by completion of Rio Grande and Carlsbad projects and canals at Taos and Fort Sumner	acres	150,000
Total possible increase in irrigated area	do	1,045,000

To illustrate the present interdependence of irrigation, present and future, in the State of New Mexico, both legal and practical, with the reclamation program of the United States, and the present acute situation which is bringing serious financial loss both to the settlers and the United States by delay, it is proper to say that the two reclamation projects in the State—the Rio Grande project, with a net investment cost June 30, 1919, of \$2,295,964.75, and the Carlsbad project, net investment \$1,204,577.35—are each, respectively, situated at the lower end of the watershed of the two great north and south drainage areas traversing the entire State, and under the State irrigation law hold an appropriation right for storage which completely dominates these drainage areas.

On June 30, 1919, Carlsbad project construction charges had accrued to the amount of \$221,963.30, all but \$14,406.51 having been collected, while under the Rio Grande no construction charges had been made or collected because of bad drainage conditions and deferred construction now practically at a standstill for lack of funds. Meanwhile, many of the settlers' improved farms have gone back and more are being threatened by the lack of drainage facilities.

Estimated acreage damaged by seepage June 30, 1919	80,700
Estimated acreage protected by drains to June 30, 1919	57,000
Estimated acreage to be protected by drains	147,000
Cost of drainage to June 30, 1919	\$930,535.95

(See p. 263 of 18th Ann. Rept. of the Reclamation Service.)

Crop report for the Carlsbad project for the year 1919 is appended hereto to show the character of crops grown and the annual return therefrom on the southern projects in Arizona and New Mexico.

Crop yield report of Carlsbad project for the year of 1919.

Crop.	Area.	Unit of yield.	Yields.				Values.		
			Total.	Per acre.			Per unit of yield.	Total.	Per acre.
				Average.	Maximum.	Minimum.			
Irrigated for production of this crop:	<i>Acres.</i>								
Alfalfa hay.....	7,031	Ton.....	21,306	3.03	6	0.5	\$20.18	\$429,974.00	\$61.15
Alfalfa seed.....	912	Pound.....	125,041	135	400	25	1.245	30,199.00	33.11
Barley.....	66	Bushel.....	1,396	21.15	22	20	1.73	2,420.00	36.66
Cane.....	379	Ton.....	721	1.90	6	.4	14.61	10,538.00	27.80
Corn fodder.....	429	do.....	556	1.30	4	.2	15.73	8,746.00	20.38
Corn, Indian.....	541	Bushel.....	11,797	21.80	45	10	1.57	17,773.00	32.85
Corn, sorghum.....	279	Hundred-weight.....	2,725	9.75	25	8	2.76	7,528.00	27.00
Cotton.....	8,713	Bale.....	5,051	.58	2.75				
Cotton seed.....	8,713	Pound.....	2,525,805	290	1,375	50	.50	1,262,902.00	144.96
Garden.....	34	Ton.....	2,399	.275	2,610	150	70.00	167,930.00	19.27
Oats.....	119	Bushel.....	1,995	16.76	22	10	.56	2,750.00	80.87
Pasture.....	1,080	Acre.....						1,111.00	9.33
Peaches.....	53	Pound.....	134,753	2,542	8,000	330	.044	23,535.00	21.79
Pears.....	7	do.....	13,500	1,920	3,000	500	.043	5,998.00	113.17
Potatoes, sweet.....	21	Pound.....	181,620	8,649	16,000	1,200	.033	6,055.00	83.57
Wheat.....	301	Bushel.....	5,727	19.02	.33	8	1.83	10,501.00	288.38
Total and average.....	28,678							1,988,546.00	105.01
Less duplicated areas.....	9,925								
Total cropped.....	18,753								
Irrigated for other purposes:									
Fall alfalfa seeding.....	388								
Fall oats seeding.....	157								
Irrigated without crop.....	1,065								
Less duplicated areas.....	1,610								
Total other purposes.....	1,610								
Grand total irrigated.....	20,363								

	Acres.	Farms.	Per cent of project.
Total irrigable area farms reported.....	24,990.6	565	100
Total irrigated area farms reported.....	20,363	565	13
Under water right applications.....	24,990.6	565	100
Under rental contracts.....	None.		
Total cropped area farms reported.....	18,753	565	75

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. 411. An act to confer jurisdiction on the Court of Claims to certify certain findings of fact and for other purposes; to the Committee on the Judiciary.

ADJOURNMENT.

Mr. PORTER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 10 minutes p. m.) the House adjourned until to-morrow, Saturday, January 24, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Navy, transmitting a tentative draft of a bill relative to promotion by selection in the Navy (H. Doc. No. 628); to the Committee on Naval Affairs and ordered to be printed.

2. A letter from the Secretary of the Interior, transmitting report required by the act approved June 25, 1910, covering the period of December 1, 1918, to November 30, 1919, inclusive, together with copy of a letter from the Commissioner of the General Land Office (H. Doc. No. 629); to the Committee on the Public Lands and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting an alternate estimate of appropriation required for salaries, Metropolitan police, District of Columbia, fiscal year 1921, to comply with provisions of the act of December 5, 1919 (H. Doc. No. 630); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation required by the Federal Board for Vocational Education for vocation rehabilitation for the current fiscal year (H. Doc. No. 631); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting alternate estimate of appropriation required by the Federal Farm Loan Board for the fiscal year 1921 (H. Doc. No. 632); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. WALSH, from the Committee on the Judiciary, to which was referred the bill (H. R. 7629) to amend the penal laws of the United States, reported the same without amendment, accompanied by a report (No. 580), which said bill and report were referred to the House Calendar.

Mr. COLE, from the Committee on Indian Affairs, to which was referred the bill (S. 806) conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in the claims of the Iowa Tribe of Indians against the United States, reported the same without amendment, accompanied by a report (No. 581), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. ROSE, from the Committee on Claims, to which was referred the bill (H. R. 7567) for the relief of G. T. and W. B. Hastings, partners, trading as Hastings Bros., reported the same without amendment, accompanied by a report (No. 583), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BRAND: A bill (H. R. 12010) for the erection of a public building at Covington, Ga.; to the Committee on Public Buildings and Grounds.

By Mr. VENABLE: A bill (H. R. 12011) to provide for the copyright of educational games; to the Committee on Patents.

By Mr. FULLER of Illinois: A bill (H. R. 12012) concerning the administration of the pension laws in claims for pensions of persons who served in the Army, Navy, or Marine Corps of the United States during the Civil War, and by the widows of such persons; to the Committee on Invalid Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 12013) for the reclamation of lands in the Imperial and Coachella Valleys, Calif., and for other purposes; to the Committee on Irrigation of Arid Lands.

By Mr. RHODES: A bill (H. R. 12014) to provide a tariff and to obtain revenue in connection with cobalt, oxide of, and repealing existing laws fixing the rate of duty on such commodity; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 12015) for the relief of the Leavenworth Bridge Co., of Leavenworth, Kans.; to the Committee on Claims.

By Mr. DICKINSON of Missouri: A bill (H. R. 12016) granting an increase of pension to William F. Dines; to the Committee on Invalid Pensions.

By Mr. EMERSON: A bill (H. R. 12017) to reimburse William H. Flagg and E. B. Flagg for property destroyed by mail aeroplane No. 73, operated by the Post Office Department; to the Committee on Claims.

By Mr. GANLY: A bill (H. R. 12018) granting an increase of pension to William Kiley; to the Committee on Invalid Pensions.

By Mr. HERSEY: A bill (H. R. 12019) granting an increase of pension to Isaiah G. Mayo; to the Committee on Invalid Pensions.

By Mr. MOORE of Ohio: A bill (H. R. 12020) granting a pension to Charles L. Kent; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12021) granting a pension to Ida McCoy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12022) granting a pension to George W. Murphy; to the Committee on Invalid Pensions.

By Mr. NICHOLS of Michigan: A bill (H. R. 12023) granting a pension to Louise M. McArthur; to the Committee on Pensions.

By Mr. PADGETT: A bill (H. R. 12024) granting a pension to Sophia Schram; to the Committee on Invalid Pensions.

By Mr. ROWE: A bill (H. R. 12025) granting an increase of pension to Margaret L. Burns; to the Committee on Pensions.

By Mr. SELLS: A bill (H. R. 12026) granting an increase of pension to Robert W. McFarland; to the Committee on Pensions.

By Mr. SLEMP: A bill (H. R. 12027) granting a pension to Sarah C. Bragg; to the Committee on Invalid Pensions.

By Mr. WHEELER: A bill (H. R. 12028) to remove the charge of desertion against William H. Mounce; to the Committee on Military Affairs.

By Mr. WILLIAMS: A bill (H. R. 12029) granting a pension to John T. Burris; to the Committee on Pensions.

Also, a bill (H. R. 12030) granting a pension to James C. Overbee; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1075. By the SPEAKER: Petition of the Federal Council of the Churches of Christ in America, of New York City, relative to certain legislation now pending; to the Committee on Foreign Affairs.

1076. Also (by request), petition of First National Labor Party, Bellville, Ill., regarding the treatment of the mine workers by the Department of Justice during the recent strike; to the Committee on the Judiciary.

1077. By Mr. BROWNING: Petition of the Gloucester County Pomona Grange, No. 8, of New Jersey, against universal military training and a large standing Army; to the Committee on Military Affairs.

1078. Also, petition of the Gloucester County Pomona Grange, No. 8, of New Jersey, protesting against renewal of the daylight-saving plan; to the Committee on Interstate and Foreign Commerce.

1079. By Mr. CARSS: Petition of sundry citizens of the eighth district of Minnesota relative to certain railroad legislation; to the Committee on Interstate and Foreign Commerce.

1080. By Mr. CULLEN: Petition of the Ancient Order of Hibernians, of Philadelphia, Pa., relative to the Mason bill; to the Committee on Appropriations.

1081. By Mr. DARROW: Petition of the Cliveden Improvement Association, of Germantown, Philadelphia, Pa., urging daylight saving legislation; to the Committee on Interstate and Foreign Commerce.

1082. By Mr. FULLER of Illinois: Petition of John L. Lewis, of the United Mine Workers of America, against the Sterling-Graham sedition bills; to the Committee on the Judiciary.

1083. By Mr. O'CONNELL: Petition of the United Mine Workers of America, at Indianapolis, Ind., protesting against Senate bill 3317 and House bill 11430; to the Committee on the Judiciary.

1084. Also, petition of A. M. Farrier, of the Easton Car & Construction Co., of New York City, protesting against Senate bill 3317 and House bill 11430; to the Committee on the Judiciary.

1085. Also, petition of the National Conservation Association of Washington, D. C., against certain provisions in House bill 3184; to the Committee on Water Power.

1086. By Mr. ROWAN: Petition of Gifford Pinchot, president of the National Conservation Association, regarding the water-power bill (H. R. 3184); to the Committee on Water Power.

1087. Also, petition of Aloysius D. Mabry, first lieutenant, United States Army, Cohoes, N. Y., regarding the protracted hospital treatment for military personnel in the Army; to the Committee on Military Affairs.

1088. Also, petition of John L. Lewis, president of the United Mine Workers of America, protesting against the sedition bills now pending; to the Committee on the Judiciary.

1089. By Mr. SMITH of Michigan: Petition of Frank P. Rogers, commissioner of highways of Michigan, favoring the Kahn bill (H. R. 9412); to the Committee on Military Affairs.

SENATE.

SATURDAY, January 24, 1920.

(Legislative day of Friday, January 23, 1920.)

The Senate met at 12 o'clock noon, on the expiration of the recess.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 11892. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes; and

H. R. 11927. An act to increase the efficiency of the personnel of the Navy and Coast Guard through the temporary provision of bonuses or increase of compensation.

AMERICANIZATION OF ALIENS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3315) to promote Americanization by providing for cooperation with the several States in the education of non-English-speaking persons and the assimilation of foreign-born residents, and for other purposes.

The VICE PRESIDENT. The pending question is on the amendment of the Senator from South Dakota [Mr. STERLING] as modified.

Mr. SMOOT. Mr. President—

Mr. KENYON. Before the Senator from Utah suggests the absence of a quorum, will he wait a moment? The roll call may serve two purposes. I should like to inquire of Senators if a unanimous-consent agreement can not be obtained to vote on the bill? I would suggest that we vote this afternoon, but, if not, say Monday by 3 o'clock. Such an agreement would necessitate a call for a quorum, and if it is had now the call may accomplish two purposes. Is there any objection so far as Senators present are concerned?

Mr. HITCHCOCK. What hour on Monday does the Senator suggest?

Mr. KENYON. I suggest 3 o'clock on Monday, but 4 o'clock would be satisfactory.

Mr. HITCHCOCK. I am not able to speak for those on this side who are absent, but as far as those here are concerned we would not have any objection to making it late in the afternoon on Monday.

Mr. KENYON. I should like to inquire of the Senator from Mississippi [Mr. HARRISON].